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California, laws, Statutes, etc.

State Tenement House Act

AND

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State Hotel and Lodging House Act of California



Introduced in California Legislature

SESSION OF 1917

By Senator Lester G. Burnett, of San Francisco

STANFORD LIBRARY

EFFECTIVE SEPTEMBER 1, 1917

Statutes of California of 1917

Chapter 736, page 1422, and

Chapter 738, page 1473



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1917

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УРАГАН ДОЛМАТ2

**COMMENTARY BY SENATOR LESTER G. BURNETT
ON THE STATE TENEMENT HOUSE ACT AND
STATE HOTEL AND LODGING HOUSE ACT.**

The first tenement house act of the state of California was introduced by me in the state senate in 1909. In 1911 I introduced a bill in the senate making many amendments to the existing state tenement house act, rearranging the sections, and repealing the act of 1909, which became a law on April 29, 1911, and which was amended in the sessions of the California legislature of 1913 and 1915.

In the California legislature of 1917 I introduced Senate Bill No. 800, the provisions of which so amended the existing state tenement house act and rearranged its sections that it was found necessary to repeal it, which bill was signed by the Governor to become effective September 1, 1917. There was considerable bitter criticism of the state tenement house acts of 1909 and of 1911, particularly among the commercial builders. However, as time passed, the criticism changed to approval of the general provisions of the act and an admission that such regulation by state law is both salutary and very necessary.

All apartment houses are tenement houses, except houses not more than two stories high containing not more than four apartments.

In observing the working of the act in the erection of apartment houses in San Francisco, particularly in the more congested portions of that city where hotels and lodging houses abound, I found that while hotels and lodging houses could lawfully use the yards and courts of apartment houses for light and air they gave nothing in return. A hotel or lodging house backing on the rear of an apartment house could be built to the rear line of its lot and use the yard of the apartment house for light and air. In the same way it used the lot line courts. This condition was producing a solid mass of brick buildings with hardly any open spaces. Where only apartment houses, hotels and lodging houses were built the city blocks were becoming a mass of buildings of steel and brick so solidly constructed as to last a century or more and with no proper provision for light and air.

Accordingly in January, 1913, I drafted a bill to regulate the erection of hotels and lodging houses which was passed by

4 TENEMENT HOUSE AND HOTEL AND LODGING HOUSE ACTS.

the California legislature of 1913 and became a law entitled the State Hotel and Lodging House Act.

By the provisions of said act hotels and lodging houses thereafter erected were required to have a rear yard of a prescribed size and a court on the lot line of a certain minimum size if windows were opened on the lot line, fire escapes and certain construction of the furnace room and a maximum height for wooden buildings was prescribed.

I did not at that time attempt further regulation as I feared that it might defeat the bill.

In 1915, however, I drafted a bill amending the Hotel and Lodging House Act in many important particulars. The bill provided, among other things, for yards, for courts depending for size on the height of the building, that water-closets should have windows opening to the outer air or on vent shafts of a minimum size, a minimum height of ceiling to rooms, a window of a minimum size to the outer air in every room, fire escapes and construction of furnace room, and maximum height of wooden hotels and lodging houses.

The bill passed both houses of the California legislature of 1915 but failed to secure the signature of the Governor.

Subsequent to 1915, meetings of representatives of the Immigration and Housing Commission of California and of the governing bodies and departments of fourteen cities of California, among them the cities of San Francisco and Los Angeles, together with many persons interested in the housing problem, were held from time to time in various cities. The result of the deliberation of the meetings was a determination that tenement houses, hotels and lodging houses needed further regulation than the existing laws provided and that separate dwellings should also be regulated.

Although I approved of further regulation I did not attend the meetings or participate in the drafting of the bills amending the existing housing laws, but the further regulation provided in the new laws of 1917 was entirely made and drafted by the representatives of the official governing bodies and departments of said fourteen cities, and others attending said meetings.

They also drafted a bill to regulate the erection of family ellings, which is a new regulation, and was passed by the legislature and signed by the Governor.

Prior to the meeting of the legislature in 1917, I being again a member of the senate, I drafted a bill amending the State Tenement House Act by making three-flat houses tenement houses, by providing further regulation in increased size of courts and other particulars and a bill amending the State Hotel and Lodging House Act very materially and along the lines of the bill of 1915 which, as I said before, failed to secure the Governor's signature.

I introduced my bill amending the State Tenement House Act but at the request of the Commission of Immigration and Housing I introduced the bills amending the State Tenement House Act and the State Hotel and Lodging House Act and repealing the existing laws agreed upon and drafted by the official representatives of said fourteen cities.

I have set out the foregoing in some detail in order to show the change in the attitude of the members of the legislative bodies and departments of the fourteen cities regarding regulation of housing by state law, many of whom in the past have opposed such regulation.

In the State Tenement House Act of 1917, effective September 1, 1917, three-flat three-story houses are tenement houses. The diminished courts have been abolished and the inner courts on the lot line have been, in many instances, increased in area and least width.

The one-hundred-and-fifty-foot limit on street-to-street lots is abolished.

There is a new regulation of intakes to inner courts; a minimum area of kitchens; one kitchen sink in each apartment; a minimum width of rooms; a minimum regulation of material and size of foundations and construction of lowest floor and of automobile room; windows to slop sink, bath, toilet and shower room; requiring baths or showers; plumbing regulation; fire escapes; construction of stairways; new limit of height of wooden semifireproof and fireproof tenement houses.

The Hotel and Lodging House Act is a complete regulation along the general lines of the Tenement House Act adapted to the requirements of such buildings.

The changes and additions to the State Hotel and Lodging House Act of 1913 are so many and varied that I recommend a careful study of the act of 1917, although I have hereinafte-

tabulated some of them as well as most of the changes in the State Tenement House Act.

The State Tenement House Act of 1911, and amendatory acts of 1913 and 1915, have often been stated to be impractical and it has been said, by those pretending to know, that it was impossible to erect a tenement house in exact conformity with the provisions of those acts. I therefore examined, with some curiosity, the bill prepared by the experts of fourteen cities and others, expert builders and architects, to ascertain the changes proposed in order that a tenement house may be erected in exact conformity with the proposed law, which is now the State Tenement House Act of 1917, and found that there is no change in the general provisions of the act of 1911 and amendatory acts. The plan of regulation is the same in both acts and tenement houses could be erected in exact compliance with either act by those desiring to conform.

The principal defect in the two housing acts is the determination of the size of courts by the number of stories used for living purposes, apartments or bedrooms, opening upon the courts, instead of the actual height of the courts in feet from the bottom of the court to the top of the building.

The size of the court being once determined and fixed by its height in feet it would then be lawful to open windows for living rooms upon it throughout its entire height, and the question of apartments or living rooms constructed in the lowest story abutting upon a court after the building is completed, where such story was not counted in determining the size of the court, would no longer trouble those in charge of the enforcement of the act.

However, the State Tenement House Act and the State Hotel and Lodging House Act of 1917 are a distinct step in advance in construction and particularly in the increased size of courts requiring more open space, which is the sanitary provision which is the real object of housing regulation.

I have attached hereto certain forms used by the Bureau of Building Inspection of the Board of Public Works and by the Department of Public Health of San Francisco in the hope that they may be of use or offer a suggestion to some other city or county.

LESTER G. BURNETT,

August 10, 1917. 1922 Broadway, San Francisco.

**NEW MATTER AND AMENDMENTS OF TENEMENT HOUSE
ACT OF 1911, 1913 AND 1915 CONTAINED IN TENEMENT
HOUSE ACT OF 1917.**

| | Section |
|---|--------------------|
| Counties are included----- | 1, 2 |
| Houses damaged more than 51 per cent to conform----- | 5 |
| Permit of occupancy to be renewed each calendar year----- | 8 |
| Owner or his agent may enter house, when----- | 9 |
| What is meant by the word "approved." Definition----- | 10 |
| Basement, excavation of adjoining ground----- | 10 |
| Courts, outer and inner----- | 10 |
| Court, how far cornice may extend into----- | 10 |
| Family, definition of----- | 10 |
| Fireproof tenement house, definition----- | 10 |
| Kitchen, definition ----- | 10 |
| Corner lot more than 75 feet from corner----- | 10 |
| Rear lot, definition of----- | 10 |
| Occupied space; stairways, platforms and balconies of open metal work and fire escapes may extend four feet into front or rear yard----- | 10 |
| Semifireproof tenement house, definition----- | 10 |
| Tenement house, definition, includes three-flat house----- | 10 |
| Wooden tenement house, definition, fireproofing halls and stairways----- | 10 |
| Yard, definition ; side yard defined----- | 10 |
| Rear tenement not to be hereafter erected----- | 11 |
| Building erected in front of tenement house----- | 11 |
| Fireproof and semifireproof tenement, limit of height----- | 12 |
| Wooden tenement, limit of height----- | 12 |
| Yard or court serving two houses, when----- | 15 |
| Yard for street-to-street lot, part of street counted----- | 13, 17, 18 |
| Front yard excavated ----- | 20 |
| Side yard, width under conditions----- | 21 |
| Outer courts ----- | 22 |
| Inner courts: inner courts on lot line increase in size, diminished courts for kitchens have been abolished----- | 23 |
| Inner courts, intake to ; size----- | 25 |
| Lowest floor, construction, ratproofing----- | 28 |
| Foundations, size of; material----- | 28 |
| Kitchen, minimum area ----- | 29 |
| Rooms, except kitchens, minimum width----- | 29 |
| Water-closets, width ; closets and dressing rooms, area of----- | 29 |
| Shower, bath and slop sink room to have window----- | 30, 31, 32 |
| Window; when may open through porch----- | 30 |
| Fan exhaust system of ventilation, when----- | 32 |
| Hallway to have outside window----- | 34 |
| One water-closet in each apartment; waterproofing----- | 37 |
| Water-closets in prior erected tenement; marking----- | 38 |
| Bathroom or shower room required; number----- | 39, 40 |
| One kitchen sink in each apartment----- | 39, 40 |
| Plumbing ----- | 41, 42, 43, 44 |
| Stairways, construction; around elevator----- | 45, 46, 47, 48, 49 |
| Winding stair forbidden; head room----- | 49 |
| Fire escapes; construction; door or window opening on----- | 53, 54, 55, 56, 57 |
| Standpipes ----- | 58 |
| Elevator shaft, vent shaft, dumb-waiter, construction----- | 59 |

| | Section |
|--|---------|
| Walls of inner court; construction----- | 62 |
| Automobile room; construction----- | 64 |
| Sleeping or living room and hallway in prior erected tenement----- | 66 |
| Cooking or sleeping forbidden, where----- | 67 |
| Lot, yard, courts, etc., graded and drained; when paved----- | 71 |
| When windows to be screened----- | 72 |
| Beds, mattresses and bedding to be clean----- | 75 |
| Public garage, machine shop or automobile repair shop forbidden----- | 77 |

**SOME CHANGES IN THE STATE HOTEL AND LODGING HOUSE
ACT MADE BY THE ACT OF 1917.**

| | Section |
|---|------------|
| Although the act is still entitled the State Hotel and Lodging House Act in the definition of the structures affected by the act it apparently only includes hotels. The class of structures, however, that are regulated by a law depends entirely upon the definition of such structures contained in the law. The definition of a hotel contained in the State Hotel and Lodging House Act of 1917, section 10 thereof, includes not only buildings commonly designated as hotels but also lodging houses, Turkish baths, private clubs and any building containing six or more guest rooms let or hired out to be occupied or which are occupied by six or more guests. A lodging house is a hotel----- | 10 |
| Permit of occupancy must be renewed each calendar year----- | 8 |
| Hotels are classed as wooden, semifireproof or fireproof structures and must be constructed of the materials required in the definition of each class----- | 10 |
| The word "approved" means approved as such word is defined in section 10 of the act----- | 10 |
| "Building" means a hotel. See definition of "building"----- | 10 |
| Outer court; inner court; inner court on lot line; increase in size----- | 10, 19, 20 |
| Court; how far cornice may extend into----- | 10 |
| Dormitory, definition of----- | 10 |
| Side yard, definition of----- | 10 |
| Rear lot, definition of----- | 10 |
| Hotel not hereafter to be erected on or moved on to rear lot----- | 11 |
| When building may be erected in front of hotel----- | 11 |
| Height limit of hotels----- | 12 |
| In measurement of height a basement is a story----- | 12 |
| When yard or court may serve two hotels----- | 13 |
| Distance between front and rear building----- | 13 |
| Rear yard, minimum size of----- | 15 |
| Rear-yard-to-street passageway ----- | 16 |
| Front yard excavated below curb level or ground level----- | 17 |
| Side yard, width of----- | 18 |
| Outer court, size of----- | 19 |
| Inner court, size of; intake to----- | 20 |
| Inner court on lot line, increase in size----- | 20 |
| Intake to inner court, size, construction----- | 22 |
| Basement room; when may be occupied for sleeping----- | 24 |
| Lowest floor; construction; ventilation; ratproofing----- | 25 |
| Foundation walls, construction; material----- | 25 |

| | Section |
|--|---------|
| Guest room, minimum size 90 square feet, least width 7 feet, minimum height 9 feet..... | 26 |
| Water-closet, slop sink or bath or slop sink compartment, height, width | 26 |
| Closet, recess, dressing room, size of..... | 26 |
| Windows, which rooms must have..... | 27 |
| Water-closets, batn, toilet or slop sink room to have window to outer air or vent shaft..... | 27 |
| Ventilation by exhaust system, in which rooms..... | 27 |
| Window area in certain rooms..... | 28 |
| Garage, public garage, automobile repair shop or machine shop..... | 60 |

From the above noted changes in the law it will be readily seen that the act now regulates hotels along the same lines as tenement houses.

The number of stairs and their width, of halls and their width, the size of vent shafts and their construction, the material and construction of the walls of inner courts are prescribed by the act.

Attention is particularly called to section 44 regarding stairways which abut on an elevator shaft.

In fact the act now regulates the erection and upkeep of hotels so closely that those building or conducting hotels, as well as the officials administering the act, should study it thoroughly.

LESTER G. BURNETT,
1922 Broadway, San Francisco.

•

**FORMS USED IN THE BUREAU OF BUILDING INSPECTION OF
THE BOARD OF PUBLIC WORKS AND IN THE DEPART-
MENT OF PUBLIC HEALTH OF THE CITY OF SAN
FRANCISCO.**

In the following application for a building permit the affidavit or verification of the application is printed on a separate slip and pasted on the application, thereby rendering it unnecessary to print new blanks for the purpose.

Mark Street Line on Plans

Write in Ink—File Two Copies

Dept. of Public Works
Bureau of Bldg. Inspection F. No. 2

Applicant must indicate in ink correctly and distinctly on the back of this sheet, a diagram of the lot with street, alleys, location of existing buildings on the lot, if any, and location and dimensions of proposed buildings. Plans and specifications must be fastened together and attached to this application for a building permit.

APPLICATION FOR BUILDING PERMIT

Frame Building

Application is hereby made to the Board of Public Works of the City and County of San Francisco for permission to build _____ on the lot situated _____ in accordance with the plans and specifications submitted herewith. The building law will be complied with in the erection of the building, whether otherwise specified or not. Estimated cost of building \$_____ Building to be occupied as _____ by No. _____ families.

Size of lot _____ feet front _____ feet rear _____ feet deep.
Size of proposed building _____ ft. by _____ ft.

Height from curb to top of roof beams in center of front _____ ft.

Height in clear of basement or cellar _____ ft. Height in clear of first story _____ ft.

Height in clear of second story _____ ft. Height in clear of third story _____ ft.

Foundation to be of _____, thickness, on top _____ inches

Width of footings _____ inches. Greatest height of foundation walls _____ ft.

Size of studs in basement (underpinning) _____ by _____ inches _____ inches on centers

Size of studs in first story _____ by _____ inches _____ inches on centers

Size of studs in second story _____ by _____ inches _____ inches on centers

Size of studs in third story _____ by _____ inches _____ inches on centers

Wall covering to be of _____ outside, and _____ inside

First floor joists _____ by _____ inches _____ inches on centers. Longest span between supports _____ ft.

Second floor joists _____ by _____ inches _____ inches on centers. Longest span between supports _____ ft.

Third floor joists _____ by _____ inches _____ inches on centers. Longest span between supports _____ ft.

Rafters _____ by _____ inches _____ inches on centers. Longest span between supports _____ ft.

Roof covered with _____

Studs in bearing partitions _____ by _____ inches. Chimneys of _____

There shall be no encroachments upon the street or sidewalk.

I hereby agree to save, indemnify and keep harmless the City and County of San Francisco against all liabilities, judgments, costs and expenses which may in any wise accrue against said city and county in consequence of the granting of the permit, if issued, or from the use or occupancy of any sidewalk, street or sub-sidewalk placed by virtue thereof, and will in all things strictly comply with the conditions of the permit, and the building law.

| | | |
|-----------------|----------|---------------|
| Architect _____ | } | Owner _____ |
| Address _____ | | Address _____ |
| Builder _____ | By _____ | |
| Address _____ | | |

(Note.—The owner's name must be signed by himself or by his architect or authorized agent.)

STATE OF CALIFORNIA }
County of San Francisco } ss.

-----, being duly sworn, deposes and says:
am the person making and signing the attached application for a building permit. I have read
the said application and know the contents thereof, and the statements therein are true, and the
plans, specifications and lot plan filed therewith, attached thereto, and forming a part thereof are
true, and contains a correct description of the ----- building,
lot, structure and proposed work. (Tenement house or hotel)

The said ----- further deposes and says:
I am the agent for the owner of the property described in the said application for said permit,
and I am duly authorized by said owner to act for the owner, to make said application and to
sign this affidavit.

Subscribed and sworn to before me
this ---- day of ----, 191--.

[SEAL] Notary Public in and for the City and County
of San Francisco, State of California.

Upon approval of the plans and specifications and issuance
of the permit, the plans and specifications are stamped as
follows, "Tenement House Act has been complied with," or
"State Hotel and Lodging House Act has been complied with."

The duplicate plans and specifications for use upon the
work are also stamped in the same manner.

Building Department

The following is the report card upon the building in course
of erection or alteration:

BUREAU OF BUILDING INSPECTION

Board of Public Works, San Francisco, Cal.

Story, Class _____ *Tenement House.*
Height above Curb in Center of Front.
Line of rotation: _____
owner: _____ *Architect*: _____

[Front of card. Size 5" x 8"]

INSPECTOR'S REPORT

19
Story, Class _____, Tenement House. No. of Apts. _____, Size of Building, _____ Feet.
Height above Curb in Center of Front Feet. Permit No. _____
Issued _____
Line of Street _____
Feet _____
Architect _____
Builder _____
Work Started _____ Completed _____
Street _____
Completed _____

| No. | DATE OF INSPECTION | MEASUREMENTS OF COURTS AND YARD | | | | | AREA OF INTAKES TO | | | |
|-----|--------------------|-----------------------------------|--------------------------------------|------------------------------|-------|-----------|--------------------|-------------------|-------------|-------------|
| | | Rear Yard | Lot Line | Lot Line Outer | Outer | Inner | Street to Yard | Lot Line Court | Inner Court | Vent Shafts |
| 1 | | | | | | | | | | |
| 2 | | | | | | | | | | |
| 3 | | | | | | | | | | |
| 4 | | | | | | | | | | |
| 5 | | | | | | | | | | |
| 6 | | | | | | | | | | |
| 7 | | Height of Rear Wall at Yard | Height and Size of Vent Shafts | NUMBER OF | | Completed | | | | |
| 8 | | | | Violations | | Special | | | | |
| 9 | | | | Apartments in Basement | | | | | | |
| 10 | | | | Rooms in Basement | | | | | | |
| 11 | | | | | | | | | | |
| 12 | | | | | | | | | | |
| 13 | | | | | | | | | | |

[Size of paper 8½" x 12½"]

**REQUEST FOR CERTIFICATE OF FINAL COMPLETION
----- HOUSE**

(Tenement house or hotel)

**Bureau of Building Inspection
Board of Public Works**

San Francisco, -----, 191--.

To the Bureau of Building Inspection,
Board of Public Works,
San Francisco, California.

Sir:

The undersigned respectfully requests that a certificate of "Final Completion" be issued regarding that certain _____ house situate on _____, and (Tenement or hotel) located in said City and County of San Francisco, State of California.

Said building has been erected and completed in accordance with the law and plans approved by the said Bureau of Building Inspection.

Signed -----
Address -----

Received, -----, 191--.

Note.—The _____ house may not be occupied until the issuance by the Bureau of Building Inspection of the "Certificate of Final Completion," the filing of such Certificate with the Department of Health and the issuance by that Department of the "Permit of Occupancy upon completion of construction." Occupancy of the building prior to the issuance of the Certificate and Permit is a violation of the law, and the building will be immediately declared unfit for human habitation and the occupants ejected from the building. [See Sections 6 and 8 of State Tenement House Act and Sections 6 and 8 of State Hotel and Lodging House Act.]

The _____ house must be finally inspected after the filing of this request for "Certificate of Final Completion" and before the issuance of such certificate.

If the building is not completed in conformity with the law and plans on file it must be made to conform before such certificate will be issued.

A lodging house is a hotel under the state law.

[Size of paper 8½" x 12½"]

Bureau of Building Inspection
Board of Public Works

NAL INSPECTION OF ----- HOUSE ON APPLICA-
(Tenement or hotel)
TION FOR "CERTIFICATE OF FINAL COMPLETION."

San Francisco, -----, 191--.

the Chief Building Inspector,
Bureau of Building Inspection,
San Francisco.

r:

I, -----, holding
e position of Inspector in the Bureau of Building Inspection
the Board of Public Works of the City and County of San
Francisco, State of California, respectfully report:

That on the ----- day of -----, 191--, I
ersonally examined and carefully inspected the premises and
house situate on ----- line of
(Tenement or hotel)

----- Street ----- feet ----- of
----- Street, and found that:

----- Building Inspector.

wner -----
dress -----

[Size of paper 8½" x 12½"]

"CERTIFICATE OF FINAL COMPLETION" OF _____
(Tenement or hotel)

HOUSE
Certificate No. _____

Bureau of Building Inspection
Board of Public Works
City and County of San Francisco

San Francisco, -----, 191--

This is to certify that the ----- house
(Tenement or hotel)
situate on -----, located in
said City and County of San Francisco, State of California, is
completed in conformity with the -----
(State Tenement or State Hotel and Lodging)

House Act.

Issued in accordance with the provisions of the -----
House Act, on this ----- day
(State Tenement or State Hotel and Lodging)
of -----, 191--, to -----,
owner of said ----- house.
(Tenement or hotel)

BOARD OF PUBLIC WORKS, of said
City and County of San Francisco.

By -----
Chief Building Inspector

Owner -----
Address -----

Note.—A lodging house is a hotel under the state law.

This Certificate of Final Completion must be presented to the Department of Public Health
by the person to whom it is issued and filed with said Department.

The Department of Public Health issues the Permit of Occupancy, and until such Permit of
Occupancy is issued the ----- house may not be occupied. Application for said permit
must be made in writing to the Department of Public Health.

Occupancy of such ----- house, in whole or in part, before the issuance by the
Department of Public Health of the Permit of Occupancy, is a violation of the law, and the
occupants will be immediately ejected from the ----- house.

See Section 6 of the Hotel and Lodging House Act, and the State Tenement House Act:
Penalty for violation.

"Any person, firm or corporation violating any of the provisions of this act shall be deemed
guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding six months,
or by a fine not exceeding five hundred dollars or by both, and in addition to the penalty
therefor, shall be liable for all costs, expenses and disbursements paid or incurred by the department,
by any of the officers thereof, or by any agent, employee or contractor of the same, in
prosecution of such violation."

[Size of paper 5½" x 8½"]

TENEMENT HOUSE OR HOTEL

City and County of San Francisco
Department of Public Health
 Central Office, 1085 Mission Street

-----, 19--

Sir:

A certificate of final completion *must be presented to the Department of Public Health* by the person to whom it is issued and *filed with this department*.

The Department of Public Health *issues the Permit of Occupancy*, and until such "Permit of Occupancy" is issued, *the house may not be occupied.*

(Tenement or hotel)

Occupancy of such tenement house, in whole or in part, before the issuance by the Department of Public Health of the permit of occupancy, is a violation of the law, and the *occupants will be immediately ejected from the house.*

Extract from state law: "Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding six months or by a fine not exceeding five hundred dollars or by both, and in addition to the penalty therefor, shall be liable for all costs, expenses and disbursements paid or incurred by the Department, by any of the officers thereof, or by any agent, employee or contractor of the same in prosecution of such violation."

-----, Health Officer

-----, Tenement House Inspector.

•Note.—A lodging house is a hotel.

Dept. of Pub. Health

Bureau of Sanitation Clerical Div. F. No. 2

Department of Public Health
 San Francisco, Cal.

A LODGING HOUSE IS A HOTEL

APPLICATION FOR PERMIT OF OCCUPANCY
 (Tenement house or hotel)

-----, 19--

No. ----- Location -----
 Applicant ----- Address -----
 hereby applies for a "Permit of Occupancy" for the
 ----- situated at the above location.
 (Tenement house or hotel) -----, Applicant

INSPECTOR'S REPORT

To the Health Officer:

I herewith (approve) (disapprove) the issuance of
 a permit in the above case for the following reasons:

Respectfully,

Permit issued -----, Inspector -----, 19--

Application (approved) (rejected)
 -----, Chief Sanitary Inspector.
 2-32579

Statement of Owner or Lessee

[Front of form. Size of paper 8½" x 11"]

Department of Public Health

San Francisco, Cal.

TENEMENT HOUSE OR HOTEL DESCRIPTION

A lodging house is a hotel.

To the Department of Public Health:
The _____ house located on the _____(Tenement or hotel)
side of _____ Street _____ Street and designated as No. _____ Street and known as _____ in the City and County of San Francisco, State of California, was completed _____, 191_____.
The lot upon which said _____ house is located, and(Tenement or hotel)
which is devoted exclusively to the use of said house, is bounded and described as follows:-----
Said house is a _____ structure.

(Wooden, semifireproof, fireproof)

Said house has _____ stories and in addition thereto has _____ a cellar and has _____ a basement.

If said house has a cellar state how many rooms are therein and for what purpose used or designed to be used.
-----Does this house contain a steam boiler, heating furnace or water heating apparatus using other fuel than gas? _____
If it does contain such apparatus is it enclosed in a room constructed according to the requirements of the state law?

Has this house the fire escapes required by the state law?

The name of the agent upon whom process may be served is _____. His address is _____, San Francisco, California.

(The name of the owner or of the lessee may be used as the person upon whom process may be served.)

----- Owner ----- Address -----

----- Lessee ----- Address -----

----- Inspector -----

[Back of form]

| | Total No. of rooms | Bed rooms | Public bath room | Public toilets | Private bath room | Private toilets | No. of apartments | Other rooms and purpose for which they are used or designed to be used |
|--------------------------|-----------------------|--------------|------------------------|-------------------|-------------------------|--------------------|----------------------|--|
| Cellar | | | | | | | | |
| Basement | | | | | | | | |
| First Story | | | | | | | | |
| Second Story | | | | | | | | |
| Third Story | | | | | | | | |
| Fourth Story | | | | | | | | |
| Fifth Story | | | | | | | | |
| Sixth Story | | | | | | | | |
| Seventh Story | | | | | | | | |
| Total | | | | | | | | |

(By the term "Story" as used herein is meant a story which is neither a cellar nor a basement.)

**INSPECTOR'S CARD FOR INSPECTION OF TENEMENT
HOUSES AND HOTELS.**

Department of Public Health.

Front of card. [Size 5" x 8" of cardboard.]

| "No. Health Form 6 DEPARTMENT OF PUBLIC HEALTH—SAN FRANCISCO, CALIFORNIA | | | | | | | | | |
|---|----------------|----------|-----------------------|----------------|-----------------------|------------|----------------------|------------|----------------|
| RECORD— | | | | | | | | | |
| LOCATION | CONSTRUCTED | 19 | ADDRESS | ESTIMATED COST | AGENT | ADDRESS | ADDRESS | ADDRESS | ADDRESS |
| OWNER | | | | | | | | | |
| LESSEE | | | | | | | | | |
| PERCENTAGE OCCUPIED | | | | | | | | | |
| LOT | | | | | | | | | |
| NUMBER OF INTAKES | LOT LINE COURT | | INNER COURT (Size) | | OUTER COURT (Size) | | VENT SHAFT (Size) | | YARD (Size) |
| | ACCESS TO | DRAINAGE | (Yes) (No) | (Yes) (No) | (Yes) (No) | (Yes) (No) | (Yes) (No) | (Yes) (No) | |
| FIREPROOF | | | | | | | | | |
| | | | | | | | | | |
| ROOMS | | | | | | | | | |
| BUILDING | | | | | | | | | |
| Construction (Wood, Brick, Concrete) No. Stories—Living Stories—Stores— No. Apartments on Floor— | | | | | | | | | |
| Apartments under legal size— 1st 2nd 3rd 4th 5th 6th Total | | | | | | | | | |
| With windows under legal size— Bedrms. on Courts under 20 sq. ft. | | | | | | | | | |
| Without windows on outer air— No. of Toilets— No. of apartments— Garage— Floor—material— | | | | | | | | | |
| Public Halls—Size— Windows opening on— (Yes) (No) (with skylights.....Ventilated.....) (Yes) (No) (with skylights.....Ventilated.....) | | | | | | | | | |
| Kitchens, no windows to outer air— Windows opening on— (Yes) (No) (Other dark rooms.) (Yes) (No) Use | | | | | | | | | |
| Skylight Stairs—Size— Windows— (Yes) (No) Elevator— Size of smallest room— | | | | | | | | | |
| Staircase—Size— Near Exit— Fire Escape— No. House— Fireproof— Commun'cable Disease— pen. Bldg.—Dist. between ft.— | | | | | | | | | |
| BASEMENT | | | | | | | | | |
| Height of Ceiling— Height of Windows— Under legal size— With windows under legal size— Direct access from street— Bedrms. on Courts under 20 sq. ft. | | | | | | | | | |
| Toilets— Sinks— Wash. Trays— Hoppers— Gdg. chute— Gdg. cans— | | | | | | | | | |
| SANITATION | | | | | | | | | |
| Where situated | | | | | | | | | |
| CELLAR | | | | | | | | | |
| Direct access from street— Toilets— Ventilation— Boiler Room— Floor—material— Soil Covering— | | | | | | | | | |
| REAR | | | | | | | | | |
| 19—FIRST INSPECTION OF BLDG.—19— | | | | | | | | | |
| BUILDER | | | | | | | | | |
| ARCHITECT | | | | | | | | | |
| PLANS INSPECTED | | | | | | | | | |
| CERTIF. OF FINAL COMPLETION 19—PERMIT OF OCCUPANCY 19— | | | | | | | | | |
| INSPECTOR | | | | | | | | | |
| (INNER-CORNERS TO ST.) | | | | | | | | | |

[Back of card]

HISTORY OF VIOLATIONS AND ABATEMENTS

INSPECTIONS

[Card 5 x 8]

The following form of annual license for a tenement house is also used for hotels by changing "Tenement House" to "Hotel" and "State Tenement House Act" to "State Hotel and Lodging House Act."

[Size of paper 8½" x 11"]

**Department of Public Health
San Francisco, Cal.**

**ANNUAL LICENSE AND PERMIT TO USE TENEMENT HOUSE
FOR HUMAN HABITATION**

This is to certify that the premises situated at _____ and conducted as a tenement house by _____ is licensed to use such house for human habitation.

This license is issued in conformity with the provisions of the Tenement House Act of the State of California, and expires at the end of the calendar year.

To use a Tenement House for human habitation without a license in full force and effect from the Department of Public Health is a misdemeanor and subjects the person conducting such house to the penalty prescribed in said Tenement House Act.

This license must be displayed in a part of such Tenement House where it may be readily seen at any time by inspectors or other representatives of the Department of Public Health.

Issued _____, 191____.

[SEAL]

Health Officer

Clerk, Bureau of Sanitation

CHAPTER 738.

An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of tenement houses, and the maintenance, use and occupancy of the premises and land on which tenement houses are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof, and repealing an act entitled 'An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof,' approved April 16, 1909, statutes of California of 1909, page 948," approved April 10, 1911, statutes of California of 1911, page 860, and approved June 13, 1913, statutes of California, 1913, page 737, and approved May 29, 1915, statutes of California, page 952, and all acts amendatory thereof.

[Approved May 31, 1917. In effect September 1, 1917.]

Statutes of California of 1917, page 1473.

The people of the State of California do enact as follows:

Title of act. Jurisdiction.

SECTION 1. This act shall be known as the "state tenement house act" and its provisions shall apply to all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties.

Enforcement of act. Building department. Health department. Housing department. Commission of Immigration and Housing.

SEC. 2. It shall be the duty of the "building department" of every incorporated town, incorporated city, and incorporated city and county, to enforce all the provisions of this act pertaining to the erection, construction, reconstruction, moving, conversion, alteration and arrangement of tenement houses and to issue the certificate of "final completion" hereinafter provided.

It shall be the duty of the "housing department" or there is no housing department the health department every incorporated town, incorporated city, and incorporated city and county to enforce all of the provisions of this act pertaining to the maintenance, sanitation, ventilation, use and occupancy of tenement houses after said tenement houses have been erected, constructed, or altered, as the case may be, as the certificate of "final completion" has been issued by the building department, and to issue the "permit of occupancy" as hereinafter provided.

In the event that there is no building department or a housing department or health department in an incorporated town, incorporated city or incorporated city and county, it shall be the duty of the officer or officers who are charged with the enforcement of ordinances and laws regulating the erection, construction or alteration of buildings, or the maintenance, sanitation, ventilation or occupancy of buildings, or of the police, fire or health regulations in said incorporated town, incorporated city or incorporated city and county to enforce all of the provisions of this act.

In every county it shall be the duty of the officer or officers who are charged with the enforcement of ordinances or laws regulating the erection, construction or alteration of buildings, or of the maintenance, sanitation, occupancy and ventilation of buildings, or of the police, fire or health regulations in said county, to enforce all of the provisions of this act outside of the limits of any incorporated town or incorporated city.

Every incorporated town, incorporated city, or incorporated city and county in the State of California shall have, and it is hereby empowered and given authority to designate and charge by ordinance any other department or officer than the department or officers mentioned herein, with the enforcement of this act, or any portion thereof.

The commission of immigration and housing of California shall have, and it is hereby empowered and given authority to enforce the provisions of this act, which do not pertain to the actual erection, construction, reconstruction, moving, alteration or arrangement of tenement houses in all incorporated towns, incorporated cities and incorporated cities and counties, and counties in the State of California, whenever said commission finds or discovers a violation or violations of the provisions of this act and notifies the local department or officer, or departments or officers who are charged with the enforcement of the provisions of this act, in writing, of such violation or violations, and the said local department or officer, or departments or officers, fail, neglect or refuse to enforce the provisions of the said act within thirty days thereafter; provided,

however, that the said commission of immigration and housing of California shall enforce the provisions of this act only in the instances specified in said written notice.

Matters declared unlawful. Nuisance forbidden.

SEC. 3. It shall be unlawful for any person, firm or corporation, whether as owner, agent, contractor, builder, architect, engineer, superintendent, foreman, plumber, tenant, lessee, lessor, occupant, or in any other capacity whatsoever, to erect, construct, reconstruct, alter, build upon, move, convert, use, occupy or maintain, or to cause, permit or suffer to be erected, constructed, reconstructed, altered, built upon, moved, converted, used, occupied or maintained any tenement house or any portion thereof contrary to the provisions of this act, or to commit or maintain or cause or permit to be committed or maintained any nuisance in or upon any tenement house or any portion thereof, or any of the premises, yards or courts which are a part thereof, or which are required by the provisions of this act; or to do or cause to be done, or to use or cause to be used, any privy, sewer, cesspool, plumbing or house drainage affecting the sanitary condition of any tenement house or any portion thereof, or of the premises thereof, contrary to any of the provisions of this act.

Alterations and reconstruction to conform.

SEC. 4. It shall be unlawful for any person to make any alterations or changes, or reconstruction work of any kind whatsoever, to any tenement house erected prior to the passage of this act, or to any tenement house hereafter erected, or to increase the height or the percentage of the lot occupied, in any manner which would be inconsistent with any of the provisions of this act, or in violation of the said provisions of this act, or in any manner to diminish the size of the yards, courts or shafts or the size of windows or skylights, or to remove any stairway or fire escape, or to obstruct the egress from such building or from the hallways or stairways, or to do anything that would affect the ventilation and sanitation of the building, contrary to any of the provisions of this act.

Converted or moved building to comply. House damaged more than 51 per cent.

SEC. 5. A building not erected for, or which is not used as a tenement house at the time of the passage of this act, if hereafter converted to or altered for such use, shall thereupon become subject to all of the provisions of this act affecting tenement houses hereafter erected.

A building used as a tenement house at the time of the passage of this act, if moved, shall be made to conform to all of the provisions of this act affecting tenement houses here.

after erected, in so far as they pertain to the percentage of lots occupied and the size of outer courts, inner courts bounded by a lot line, and yards.

It shall be unlawful to reconstruct any tenement house which is hereafter damaged by fire or the elements to an extent in excess of fifty-one (51) per cent of its physical proportions, unless the said building is made to conform to all of the provisions of this act affecting tenement houses hereafter erected.

Violation of act a misdemeanor. Procedure.

SEC. 6. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding five hundred dollars, or by imprisonment in a county jail not exceeding six months, or by both such fine and imprisonment, and in addition to the penalty therefor, shall be liable for all costs, expense and disbursements paid or incurred by the department, by any of the officers thereof, or by any agent, employee or contractor of same, in the prosecution of such violation. The costs, expense and disbursements by this section provided shall be fixed by the court having jurisdiction of the matter.

Except as herein otherwise specified, the procedure for the prevention of violations of this act, for the vacation of tenement houses or premises unlawfully occupied, or for the abatement of a nuisance in connection with a tenement house or the premises thereof, shall be as set forth in the charter and ordinances of the municipality in which the procedure is instituted.

Application for permit to erect, convert, alter, move or add to a tenement house. Statement verified by oath. Plans filed in duplicate. Plan of lot. Specifications. Name and address of owner, architect and contractor. Changes in plans to be approved. Approved plan on work. Nominal alterations. Revocation of permit. When permit expires after 90 days.

SEC. 7. In every incorporated town, incorporated city, and incorporated city and county, it shall be unlawful to commence or to proceed with the erection, construction, reconstruction, conversion, or alteration of a tenement house, or to move or to build upon a tenement house, or to convert a building or any portion thereof into use as a tenement house, without first obtaining a permit in writing so to do from the department charged with the enforcement of this act. Any person, firm or corporation desiring such a permit shall file an application therefor with the department charged with the enforcement of this act. Said application shall give a detailed statement in writing, verified

under oath by the person making the same, of the erection, construction, reconstruction, moving, conversion or alteration, as the case may be, upon blanks or forms to be furnished by the said department. The said application must be accompanied with a full, true and complete set of the plans of the tenement house or alteration, or work proposed, as the case may be, together with a set of specifications describing the materials proposed to enter into the construction of the proposed work, also a plan of the lot on which such building is proposed to be erected, constructed, reconstructed, converted, altered, or moved, as the case may be. Such statement shall give in full the name and address by street and number of the owner or owners, also the name and address of the architect and of the contractor, if there be such an architect or contractor; also shall give such other data and information as in the judgment of the department charged with the enforcement of this act is deemed necessary.

The affidavit to said application shall allege that the plans and specifications are true and contain a correct description of the proposed tenement house, lot and proposed work. If any person other than the owner makes such affidavit, such person shall not be recognized except that he allege in his affidavit that he is authorized and empowered by the said owner to act for him and to sign the required affidavit. Said department charged with the enforcement of this act shall cause all such plans, specifications and statements to be examined, and if it appears that they conform to the provisions of this act, shall then issue a permit to the person submitting the same. Said department may, from time to time, approve changes in any plans, specifications or statements previously approved by it; *provided*, that all changes when so made shall be in conformity with the provisions of this act. Said department shall have the power to revoke or cancel any permit or approval that it has previously issued in case of any refusal, failure or neglect of the person to whom such permit or approval has been issued to comply with any of the provisions of this act, or in case any false statement or misrepresentation is made in any of the said plans, specifications or statements submitted or filed for such permit or approval. The erection, construction, reconstruction, moving, alteration or conversion of any such tenement house, as the case may be, shall be made in accordance with the plans, specifications and statements submitted or filed and for which the permit is issued.

A true copy of the plans, specifications and other information submitted or filed, upon which a permit is issued, with the approval of the department with which they are filed, stamped or written thereon shall be kept upon the premises of the tenement house or work for which the said permit is issued, from the commencement of the said building or wo

to the final completion of same, and shall be subject to inspection at all times by proper authorities.

The department charged with the enforcement of this act may, at its discretion, issue a permit in case of nominal alterations or repairs, when application is made therefor, in writing, by the owner or his agent, when the making of said nominal alterations and repairs do not affect any structural feature or the sanitation or the ventilation of the tenement house without requiring the filing of plans or specifications.

The issuance or granting of a permit or approval by the department charged with the enforcement of this act under the authority of this section shall not be deemed or construed to be a permit or an approval of the violation of any of the provisions of this act.

Every permit or approval which is issued by the department charged with the enforcement of this act, but under which no work has been done within ninety days from the date of issuance, or where work has been suspended for period of ninety days, shall expire by limitation and a new permit shall be obtained before the work may be done.

Certificate of Final Completion from building department on application therefor. **"Permit of Occupancy"** to be obtained from health department or housing department on written application issued in duplicate.

SEC. 8. In every incorporated town, incorporated city, and incorporated city and county, it shall be unlawful to occupy or to permit to be occupied, any tenement house hereafter erected, constructed, reconstructed, altered, converted or moved, as the case may be, or any portion thereof, for human habitation until the issuance of a "certificate of final completion" and a "permit of occupancy" by the department or departments charged with the enforcement of this act.

It shall also be unlawful to occupy any existing tenement house until a permit of occupancy has been issued by the department designated to issue such permit.

Every permit of occupancy shall be renewed each calendar year by the department designated to issue the said permit provided, that no structural alterations or changes have occurred since the issuance of the certificate of final completion; and provided, that all other provisions of this act have been complied with.

Any person desiring a certificate shall file a notice with the department charged with the enforcement of this act. Said department shall cause an inspection to be made of the said tenement house or portion thereof, or work described in the said notice, within ten days after written application therefor, and shall issue a "certificate of final completion" if it is found that all the provisions of this act, regulating the erection,

construction, alteration or moving, as the case may be, have been complied with.

The department charged with the enforcement of this act and designated to issue the permit of occupancy shall issue the said "permit of occupancy" upon application, in writing, therefor by the owner or his agent, and upon the filing by the owner or his agent of such statements or records required by the department, after the "certificate of final completion" has been issued; *provided*, that no violations have occurred since the issuance of the certificate of final completion, or, in the case of a tenement house erected prior to the passage of this act, and for which no certificate of final completion has been issued, then after the said department has caused an inspection to have been made of the said tenement house and has found that all of the provisions of this act applying to such tenement house have been complied with.

All permits and certificates shall be made in duplicate and a copy shall remain on file in the department issuing them.

Any tenement house hereafter erected, altered, converted or moved, which is occupied, or any portion thereof which is occupied for human habitation, prior to a "certificate of final completion" or a "permit of occupancy" being issued, shall be deemed a nuisance, and the department or departments charged with the enforcement of this act may cause it to be vacated until the said certificate of completion and permit of occupancy have been obtained in accordance with the provisions of this act.

When and by whom house may be entered.

SEC. 9. The department or departments charged with the enforcement of this act in any incorporated town, incorporated city, incorporated city and county, or county, and the authorized officers, agents or employees of such department or departments, may, whenever necessary, enter tenement houses or portions thereof, or the premises thereof, within the corporate limits of such towns, cities, cities and counties, or counties, for the purpose of inspecting such buildings, in order to secure compliance with the provisions of this act and to prevent violations thereof.

The members of the commission of immigration and housing of California and the agents, officers or employees of said commission may, whenever necessary, enter tenement houses or portions thereof, or the premises thereof, for the purpose of inspecting such buildings in order to secure compliance with the provisions of this act and to prevent violations thereof.

The owner or his authorized agent may, whenever necessary, enter tenement houses, or portions thereof, or the premises

thereof, owned by him, to carry out any instructions or to perform any work required to be done by the provisions of this act.

Definitions.

SEC. 10. For the purpose of this act, certain words and phrases are defined as follows, unless it shall be apparent from their context that they have a different meaning:

Words used in the singular include the plural, and the plural, the singular.

Words used in the present tense include the future.

Words used in the masculine gender include the feminine and the feminine, the masculine.

Words "building department," "housing department," "health department," "department charged with the enforcement of this act," "fire commissioner," shall be construed as if followed by the words, "of the incorporated town, incorporated city, incorporated city and county, or county," as the case may be, in which the tenement house is situated.

"Apartment" is a room or suite of rooms which is occupied or is intended or designed to be occupied by one family for living and sleeping purposes.

"Approved" as applied to building materials, appliances and appurtenances.

"Approved" means whatever material, appliance, appurtenance, or other matter meets the requirements and approval of the department charged with the enforcement of this act or which is approved by local ordinance of the municipality in which the building is situated, or any appliance, appurtenance, or other matter which conforms to the requirements of, and bears the approval of the "national board of fire underwriters"; *provided, however,* that no such material, appliance, appurtenance, or other matter shall be deemed "approved" for use where, or in such a manner as would be inconsistent with the intent, or specific provisions of this act.

Basements defined. Excavation below curb or ground level. Basement is a story.

"Basement" is any story or portion thereof partly below the level of the curb or the actual adjoining ground level, the ceiling of which in no part is less than seven feet above the curb level or actual adjoining ground levels. If the adjoining ground is excavated to or below the curb level, or to or below the adjoining natural ground level, such excavated space shall have not less than the minimum width and length required in this act for outer courts.

Every basement is a story.

"Building" is a tenement house.

"Building department" means the commissioner of buildings, superintendent of buildings, chief inspector of buildings, or any officer or department charged with the enforcement of ordinances and laws regulating the construction and alteration of buildings or structures.

"Cellar" is any story or portion thereof, the ceiling of which in any part is less than seven feet above the curb level and actual adjoining ground levels.

Courts are inner and outer. See sections 22 and 23. A street-to-yard court is now called a side yard. How far cornice may project into court.

"Court" is an open, unoccupied space other than a yard on the lot on which is situated a tenement house. A court, one entire side or end of which is bounded by a front yard, a rear yard or a side yard, or by the front of lot, or by a street or a public alley, is an "outer court." Every court which is not an "outer court" is an "inner court."

Every court shall be open and unobstructed to the sky from a point not more than two feet above the floor line of the lowest story in the building in which there are windows from rooms or apartments abutting the said court, except that a cornice on the building may extend into an "outer court" two inches for each one foot in width of such court, and a cornice may extend into an "inner court" one inch for each one foot in width of such court.

"Curb level" is the curb level opposite the center of the "front of lot."

Wherever the word "department" is used it means the building department, the housing department, the health department or such other department or officer, or departments or officers, who are charged with the enforcement of the provisions of this act.

"Family" is one person living alone or a group of two or more persons living together in an apartment, whether related to each other by birth or not.

Fireproof house constructed of "approved" materials. See definition of "approved."

"Fireproof tenement house" is a building wherein all the exterior and interior loads or strains are transmitted to the foundation by means of concrete, reinforced concrete, brick, stone, or by means of a skeleton framework of steel or iron, the exterior walls, inner court walls and roof constructed of concrete, reinforced concrete, brick, stone or hollow terra cotta tile; where all the structural steel or iron is thoroughly fire-proofed by concrete, cement plaster, tile, brick or sandstone, not less than two inches thick; where all the interior partitions are constructed of either hollow terra cotta tile blocks, gypsum blocks, brick, concrete, reinforced concrete, or of metal

studs lathed with metal lath and plastered not less than three-quarters inch thick including the lath, or of metal studs lathed with approved plaster board and plastered not less than three-quarters inch thick including the plaster board or constructed of wire glass not less than one-fourth inch thick, set in metal frames and sash, and all other materials used in the said building are of approved incombustible material, except that the glass in windows, transoms, or doors may be plain glass, and except that doors, frames, sash and the usual trim of rooms, hallways, corridors and passageways may be of wood, and except that wood floors may be placed on top of the floors constructed of incombustible materials, except in the stairways and public hallways.

When department of public health is housing department.

"Housing department" is any department or commission charged with the enforcement of ordinances or laws regulating the occupancy and maintenance of tenement houses, hotels and dwelling house buildings; and where no such department maintained, shall be deemed to be the health commissioner, the department of health, health officer, or similar department charged with the enforcement of laws and ordinances relating to the protection of the public health.

"**Kitchen**" is any room in any apartment used or intended or designed to be used for cooking purposes and for the preparation of food.

"**Lot**" is a parcel or area of land on which is situated tenement house, together with the land, yards, courts and unoccupied spaces for such a tenement house as required by this act; all of which land shall be owned by or be under the absolute lawful control and in the lawful possession of the tenement house.

Corner lot defined. Part of corner lot more than 75 feet from corner.
Either frontage of corner lot may be front of lot.

A lot situated at the junction of two or more intersecting streets, with a boundary line thereof bordering on each of the two streets, is a "corner lot." All parts of the width of such a corner lot which are distant more than seventy-five feet from the junction point of the two or more intersecting street shall be deemed to be an "interior lot." The owner or his authorized agent may designate either street frontage as being the front of such corner lot for the purpose of determining the width thereof.

Interior lot defined.

A lot which has only one boundary line bordering on a public street is an "interior lot."

"**Rear lot**" is a parcel or area of land having no boundary line bordering on a street, or having less than one-half of its width as a boundary line bordering on a street.

"Front of lot" is the boundary line of lot bordering on the street. In case of a corner lot, either of such boundary lines may be the "front of lot."

"Rear of lot" is the boundary line of lot opposite the "front of lot."

"Depth of lot" is the mean distance from the "front of lot" to the "rear of lot."

Nuisance, what constitutes.

"Nuisance" embraces public nuisance as known at common law or in equity jurisprudence, and whatever is dangerous to human life or detrimental to health, and shall also embrace the overcrowding with occupants of any room, insufficient ventilation, or illumination, or inadequate or insanitary sewerage or plumbing facilities, or uncleanliness, and whatever renders air, food or drink unwholesome or detrimental to the health of human beings.

Occupied space defined. Where measured.

"Occupied space" is all the space covered by a tenement house, including outside stairways, platforms, fire escapes, balconies, fire towers, chimneys, stacks, vent shafts, not exceeding thirty-two square feet in area, cornice, or any part thereof, which projects into an inner court more than one inch for each one foot in width of such court, or which projects into an outer court or yard more than two inches for each one foot in width of such outer court or a yard, except that outside stairways, platforms and balconies constructed of open metal work and fire escapes may extend not exceeding four feet beyond the exterior walls of the building into a front or rear yard, and except that a retaining wall may extend not to exceed twelve inches into a yard or court. For the purpose of determining occupied space, the area of the building shall be taken at the lowest story or portion thereof used for living or sleeping purposes.

"Person" is a natural person, his heirs, executors, administrators or assigns; and also includes a firm, partnership or corporation, its or their successors or assigns.

"Public hallway" is a hallway, corridor, passageway or vestibule not within an apartment, and includes stairways, landings and platforms.

"Rear tenement house" is a tenement house on a "rear lot."

Materials for semifireproof house. See section 12 for height limit.

"Semifireproof tenement house" is a building with all exterior walls and walls of inner and outer courts constructed of brick, stone, concrete, reinforced concrete or hollow terra cotta tile; except that the walls of an inner court, which court is

surrounded on four sides by the same building, may be constructed as provided in this act for such inner courts; interior partitions and floors constructed of approved incombustible materials or of wood, with all ceilings, partitions, soffits, stairways, and outside stringers of open stairways and stairs metal lathed and plastered not less than three-quarters inch thick including the lath or lathed with an approved plaster board plastered not less than three-quarters inch thick including the plaster board; in which all finished floor frames, doors and the usual trim of rooms and hallways may be built of wood and the roof of which shall be covered with at least a composition fire-retardant material.

"Shall." Whenever this word is used it shall be mandatory.

"Street" is any public street, alley, thoroughfare or path having a minimum width of sixteen feet, measured from the "front of lot" to the opposite "front of lot," and which shall have been dedicated or deeded to the public for public use.

Tenement house defined. A three-story three-flat house is included in the definition.

"Tenement house" is any house or building, or portion thereof, more than one story in height, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their cooking in the said building; *provided, however,* that any building not more than two stories in height which is designed, built, rented, leased, let or hired out to be occupied, or is occupied, as the home or residence of not more than four families, and the said building is so arranged that each of the said families live independently of each other, and the building is constructed and arranged so that a separate section is, or may be, kept as a home or residence of a separate family, and each such section has an entirely independent and separate entrance, and if a stairway is required, one such stairway leading to each section from the street or from an outside vestibule on the level of the first floor of said building is a separate stairway, and with no room, hallway, bathroom, water-closet, or kitchen used in common by two or more families occupying the said building, shall be deemed not to come within the definition of a "tenement house."

Wooden tenement house to have ceilings, walls and partitions of public hallway wire lathed or plaster boarded. See section 12 for height limit.

"Wooden tenement house" is a building which does not fully comply with the requirements for a "fireproof" or a "semifireproof" tenement house as defined in this act, and shall include all frame and all veneered buildings.

In every such building all ceilings and walls and partitions public hallways, soffits of interior stairways and the outside ringers of open stairways, and stair wells shall be metal thied and plastered not less than three-quarters inch thick cluding the lath, or lathed with an approved plaster board astered not less than three-quarters inch thick including the aster board.

front yard. Rear yard. Side yard.

"Yard" is a portion of a lot on which is situated a tenement house and which is unoccupied by the building and extends rom the ground up (except where otherwise provided by this et) open and unobstructed to the sky; except that outside airways, platforms and balconies constructed of open metal work and fire escapes may extend not more than four feet ito such yards. If such yard is between the front line of the uilding and the front boundary line of the lot, it is a "front ard." If it is between the extreme rear line of the building nd the rear of the lot, it is a "rear yard." If it extends rom the rear yard to the front yard or front of the lot, it is "side yard."

rear tenement house forbidden. When building erected in front of tenement house. Width of front yard.

SEC. 11. No tenement house shall hereafter be erected on, r moved on to, a rear lot. No building for any purpose shall ereafter be erected in front of any tenement house unless here shall be left unoccupied a front yard extending from the ront of the rear tenement house to the front line of lot ordering on the street.

Such front yard shall not be in any part less in width than ifty per cent of the actual width of the rear tenement house.

limits of height of fireproof, semifireproof and wooden tenements in stories and feet. Basement is a story.

SEC. 12. No fireproof tenement house hereafter erected shall exceed one hundred fifty feet in height, nor more than ne and one-half times the width of the widest street to which the lot on which it is situated abuts.

No semifireproof tenement house hereafter erected shall excede six stories at any point, nor more than sixty-five feet n height (except as hereinafter provided), nor more than one and one-half times the width of the widest street to which he lot on which it is situated abuts.

No wooden tenement house hereafter erected shall exceed hree stories at any point nor more than thirty-six feet in height (except as hereinafter provided), nor more than one ind one-half times the width of the widest street to which the lot on which it is situated abuts.

The width of the street, for this purpose, shall be measured from the extreme front of the building to the front of opposite, across the street.

For the purposes of this section a basement is a story.

The height of a fireproof tenement house is the perpendicular distance from the curb level or adjoining ground levels to highest point of the roof. The height of a semifireproof of a wooden tenement house is the perpendicular distance from the curb level or adjoining ground levels to the lowest point of the finished ceiling of the top story; *provided*, that in case of a semifireproof tenement house situated on a lot with the ground sloping downward from the facade at which measurement is taken the height of the building shall not at any point exceed sixty-five feet above the curb level measured on the facade facing the street, nor shall the height of the building at any point of the grade exceed seventy-five feet above the adjoining curb in case of a corner lot, or above the level of the ground in the case of an interior lot, and the case of a wooden tenement house situated on a lot with ground sloping downward from the facade at which the measurement is taken the height of the building shall not at any point exceed thirty-six feet above the curb line measured on the facade facing the street, nor shall the height of the building at any point of the grade exceed forty-six feet above the adjoining curb in the case of a corner lot or above the level of the ground in the case of an interior lot.

Percentage of lot unoccupied.

SEC. 13. On every corner lot on which a tenement house is hereafter erected, at least ten per cent of such lot shall be left unoccupied; *provided, however*, that if such corner lot extends through from one street to another street, half of the narrowest street to which said lot abuts shall be considered as a part of the lot in computing the percentage of lot to be left unoccupied; except that if one-half of the narrowest street is greater than the rear yard required for such tenement house, then only as much of the said street as is required for the rear yard shall be considered as part of the lot for the purpose of computing the percentage of lot to be left unoccupied.

On every interior lot on which a tenement house is hereafter erected, at least twenty-five per cent of such lot shall be left unoccupied; *provided, however*, that if such interior lot extends through from one street to another street, one-half of the narrowest street to which such lot abuts may be considered as a part of the lot in computing the percentage of lot to be left unoccupied; except that if such one-half of the narrowest street is greater than the rear yard required for such tenement house, then only as much of the said street as is required

ie rear yard shall be considered as part of the lot for the purpose of computing the percentage of lot to be left unoccupied.

ard behind each house.

SEC. 14. Immediately behind every tenement house hereafter erected there shall be a rear yard extending across the entire width of the lot.

ard or court may serve two houses, when. Distance between front and rear house.

SEC. 15. In no event shall any yard or court be made to serve the purpose of two tenement houses hereafter erected, or of an existing tenement house and a tenement house hereafter erected, unless such yard or court, as the case may be, is of the full size required for two tenement houses, and then only in the event that such yard or court, as the case may be, is located in the same lot and owned by or in the absolute lawful control and in the lawful possession of the tenement house it proposes to serve.

Where a tenement house, now or hereafter erected, stands upon a lot, no other building shall hereafter be placed upon the front or rear of that lot, unless the minimum distance between such buildings shall be at least ten feet, and two additional feet shall be added to such minimum distance of ten feet for every story more than one in height of the highest building on such lot.

Depth of rear yard, how measured.

SEC. 16. The depth of a rear yard shall be measured at right angles from the extreme rear line of the building towards the rear lot line.

Rear yard on interior lot. Size. Open metal work may extend into. Street-to-street lot. Part of narrowest street allowed.

SEC. 17. On every interior lot on which a tenement house is hereafter erected there shall be provided a rear yard. Such yard shall extend from the ground clear and unobstructed to the sky, and shall extend across the entire width of the lot; except that outside stairways, platforms and balconies constructed of open metal work and fire escapes may extend not

more than four feet into such yard. The minimum depth such rear yard shall be as follows:

| Height of building measured from top of wall to floor of yard at point abutting the rear yard | Depth of rear yard |
|---|--------------------|
| Not exceeding 36 feet..... | 10 fe |
| Not exceeding 48 feet..... | 11 fe |
| Not exceeding 60 feet..... | 12 fe |
| Not exceeding 72 feet..... | 14 fe |
| Not exceeding 84 feet..... | 16 fe |
| Not exceeding 96 feet..... | 18 fe |
| Not exceeding 108 feet..... | 20 fe |
| Not exceeding 120 feet..... | 22 fe |
| Not exceeding 132 feet..... | 24 fe |
| Not exceeding 150 feet..... | 26 fe |

Provided, however, that if such interior lot extends through from one street to another street or public alley, one-half of the narrowest street or public alley to which said lot abut may be considered as a part of the lot in computing the rear yard required by this section.

Rear yard corner lot. Size. Where commences. Open metal work may extend into. Street-to-street lot.

SEC. 18. On every corner lot on which a tenement house is hereafter erected there shall be provided a rear yard. Such yard shall extend from the lowest floor which is used for living or sleeping apartments, clear and unobstructed to the sky, and shall extend across the entire width of such lot; except that outside stairways, platforms and balconies constructed of open metal work and fire escapes may be extended not more than four feet into such yard. The minimum depth of such rear yard shall be as follows:

| Depth of corner lot | Depth of rear yard |
|-----------------------------|---|
| Not exceeding 100 feet..... | Not less than 10 per cent of the depth of the lot nor less than 5 feet, nor less than the minimum width required for an outer court, based on the number of stories in such building. |
| Exceeding 100 feet..... | Not less than 10 feet nor less than the minimum width required for an outer court, based on the number of stories in such building. |

Provided, however, if such corner lot extends through from one street to another street, or to a public alley, one-half of the narrowest street or public alley to which such lot abuts may be considered as a part of the lot in computing the rear yard required by this section.

Yard-to-street passageway.

SEC. 19. Every rear yard required by this act and not bordering on a street or public alley and without direct access thereto shall have access to a street or public alley by means of an unobstructed passageway not less than three feet six inches in clear width, nor less than seven feet in clear height; and if such passageway or any portion thereof passes through a building, such portion thereof shall be built of approved incombustible materials, or shall be lathed with metal lath or approved plaster board and be plastered not less than three-quarters inch thick including the lath or plaster board, or shall be lined with not less than number twenty-six (gauge) galvanized iron, and shall be drained and lighted.

Front yard. Size of excavation to light basement.

SEC. 20. Every front yard which is excavated below the level of the curb or below the adjoining ground level for the purpose of furnishing light and ventilation to a basement shall in no part be less in width and length than required for outer courts.

Side yard. Width. When reduced.

SEC. 21. The width of every side yard shall be not less than the width required for an outer court except that the provisions of this act regarding the maximum lengths of an outer court shall not apply to a side yard; *provided*, that if there is a side yard on both sides of the building, connected one with the other across the rear of the building by the rear yard, then the width of the side yards may be reduced twelve inches.

Outer court. Size. Bounded by alley or park. Outer court on lot lines.

SEC. 22. The minimum size of every outer court for a tenement house hereafter erected shall be as follows:

| Height of building based on the full number of stories in the building measured upward from and including the lowest story in which there is an apartment or apartments | Minimum width of court | Maximum length of court |
|---|------------------------|-------------------------|
| 1 or 2 stories ----- | 4 ft. 0 in. | 16 ft. 0 in. |
| 3 stories ----- | 4 ft. 6 in. | 25 ft. 0 in. |
| 4 stories ----- | 5 ft. 6 in. | 30 ft. 0 in. |
| 5 stories ----- | 6 ft. 0 in. | 35 ft. 0 in. |
| 6 stories ----- | 8 ft. 0 in. | 35 ft. 0 in. |
| 7 stories ----- | 10 ft. 0 in. | 40 ft. 0 in. |
| 8 stories ----- | 12 ft. 0 in. | 40 ft. 0 in. |
| 9 stories ----- | 13 ft. 0 in. | 40 ft. 0 in. |
| 9 or more stories ----- | 14 ft. 0 in. | 40 ft. 0 in. |

There shall be added to the minimum width of each such outer court six inches for each five feet or fractional part thereof in excess of the maximum length; *provided, however,* that the maximum lengths herein provided shall not apply when the outer court is bounded on one side for its entire length by a lot line; *provided, further,* that if an outer court is bounded by a public alley or public park, the width of such public alley or public park may be considered a part of the lot in determining the required width of the outer court.

Inner court. Size. Door or window at bottom in all tenement houses.

SEC. 23. The minimum size of every inner court for tenement houses hereafter erected shall be as follows:

| Height of building based on the full number of stories in the building measured upward from and including the lowest story in which there is an apartment or apartments. | Minimum width of court | Minimum area of court in square feet |
|--|------------------------|--------------------------------------|
| 1 or 2 stories ----- | 6 ft. 0 in. | 75 square feet |
| 3 stories ----- | 7 ft. 0 in. | 120 square feet |
| 4 stories ----- | 8 ft. 0 in. | 160 square feet |
| 5 stories ----- | 12 ft. 0 in. | 250 square feet |
| 6 stories ----- | 16 ft. 0 in. | 400 square feet |
| 7 stories ----- | 20 ft. 0 in. | 625 square feet |
| 8 stories and more----- | 24 ft. 0 in. | 840 square feet |

Inner court on lot line. Size. Door or window at bottom and in vent shaft. Existing tenement house.

Provided, however, that the minimum size of every inner court which is bounded on one side for its entire length by a lot line may be as follows:

| Height of building based on the full number of stories in the building measured upward from and including the lowest story in which there is an apartment or apartments. | Minimum width of court | Minimum area of court |
|--|------------------------|-----------------------|
| 1 or 2 stories ----- | 5 ft. 0 in. | 75 square feet |
| 3 stories ----- | 6 ft. 0 in. | 120 square feet |
| 4 stories ----- | 7 ft. 0 in. | 160 square feet |
| 5 stories ----- | 9 ft. 0 in. | 250 square feet |
| 6 stories ----- | 16 ft. 0 in. | 400 square feet |
| 7 stories ----- | 20 ft. 0 in. | 625 square feet |
| 8 stories and more----- | 24 ft. 0 in. | 840 square feet |

Every inner court hereafter constructed and every inner court or vent shaft now in any tenement house shall be provided with a door or window at or near the bottom thereof, giving sufficient access to such court or vent shaft as to enable it to be properly cleaned out.

Recess from court, yard or street.

SEC. 24. Every recess from a court, yard or street in a tenement house hereafter erected shall, unless it conforms to the requirements of this act for an inner court, or an outer court,

e not less in width than its depth. Every such recess shall be open and unobstructed to the sky from a point not more than two feet above the floor line of the lowest story in the building in which there are rooms the said recess proposes to serve.

Intake to inner court. Size. Construction of. Runs to street, yard or alley.

SEC. 25. Every inner court in a tenement house hereafter erected shall be provided with one or more horizontal intakes at the bottom of the court, as follows:

| Inner court areas | Minimum number of intakes | Net aggregate area of intakes |
|---|---------------------------|-------------------------------|
| Each not exceeding 300 square feet----- | One | 19½ square feet |
| Each not exceeding 800 square feet----- | Two | 40 square feet |
| Each exceeding 800 square feet----- | Two | 60 square feet |

Every such intake shall always extend directly to the front of lot or front yard, or rear yard, or to a side yard, or to a street, or to a public alley or public park. Whenever more than one intake is required, one such intake shall extend to the front of lot or front yard, and one to the rear yard, public alley, public park, or to the other street, and the court ends of the air intakes shall be as far apart as possible.

Each such intake shall consist of an unobstructed duct or passageway having a minimum width of three feet in all its parts and a minimum height of six feet six inches.

Every such intake shall be constructed of approved incombustible materials, or shall be lined with at least number twenty-six (gauge) galvanized iron on the inside thereof. Such air intakes may be closed at each end with a gate or grill having not less than seventy-five per cent of open work.

In case the inner court does not extend below the second floor level, then each such air intake may consist of an unobstructed open duct, constructed of approved incombustible materials or lined with at least number twenty-six (gauge) galvanized iron on the inside thereof, having an interior area of not less than nineteen and one-half square feet, and in no dimension less than twelve inches, and covered at each end with a wire screen of not less than one inch mesh.

Every air intake shall be drained and so constructed and arranged as to be readily cleaned out.

Cellar. Livining in forbidden. Illuminated and ventilated. Water-proofed. Dampproofed. When plastered.

SEC. 26. In no tenement house shall any room in the cellar be constructed, altered, converted or occupied for living or sleeping purposes.

Every cellar shall be illuminated and ventilated. The walls and floor of every cellar hereafter constructed, which are below

the ground level, shall be made waterproof and damp proof, and whenever deemed necessary, and so ordered by the department charged with the enforcement of this act, the walls and ceilings thereof shall be plastered.

Basement. When may be lived in. Illuminated. Ventilated. Damp-proof. Waterproof. When plastered.

SEC. 27. In no tenement house shall any room in the basement be constructed, altered, converted or occupied for living or sleeping purposes, unless such room conforms to all of the requirements of this act for rooms in other parts of the building and that the ceiling of each such room be in all parts not less than seven feet above the adjoining ground level.

Every basement shall be illuminated and ventilated. The walls and floors of every basement hereafter constructed, which are below the ground level, shall be made waterproof and damp-proof, and whenever deemed necessary, and so ordered by the department charged with the enforcement of this act, the walls and ceilings thereof shall be plastered.

Lowest floor. Ventilation under. Material and size of foundation walls. Ratproofing. Material of floor. Opening through floor.

SEC. 28. In every tenement house hereafter erected, the lowest floor thereof shall be at least eighteen inches above the surface soil adjoining and under the floor, and the entire space under such floor shall be kept dry, drained, clean and free from any accumulation of rubbish, debris or filth.

Such space under the floor shall be enclosed and provided with a sufficient number of openings with removable screens or similar provisions of a size to insure ample ventilation; *provided, however,* that in any such building the lowest floor thereof may be less than eighteen inches above the surface soil, but in no case less than six inches, except where masonry floors are laid directly on the soil, if the said floor is made impervious to the ingress of rats or other vermin as follows:

(a) Foundation walls shall be constructed of concrete or of brick or stone or other masonry laid in a good mortar or constructed of some other equally as rat proof material.

(b) The said foundation walls shall be not less than six inches in thickness at the top nor less than twelve inches in thickness at the bottom, nor extend less than twelve inches below the surface soil, and, except where masonry floors are laid directly on the soil, shall extend not less than six inches above the surface soil.

(c) Every opening in the foundation walls, for ventilation or for other purposes, shall be made rat proof with suitable metal screens or with some other similar rat proof material. *Door or window openings in such walls shall have tight fitting doors or windows.*

(d) The said lowest floor or differing levels thereof, forming a complete floor between the outside walls of the building, shall be constructed either of masonry, or covered with concrete not less than one and one-half inches thick, or constructed of two layers of flooring with a layer of galvanized iron or galvanized iron wire cloth or other approved equally as rat proof material placed between the two layers of flooring. Or, in lieu of the floor being constructed as herein prescribed, the entire ground area under the floor shall be covered with concrete not less than two inches thick, except where the surface of the soil is composed of rock. The rat-proofing material shall always extend under the plates of the exterior walls and supporting partitions.

(e) All openings throughout the said floor for chimneys, plumbing, water pipes, or for any other purpose, shall be closed up tight in the same manner and with the same kind of materials as required under the plates of the exterior walls and supporting partitions, and if the rat-proofing material used for closing of openings is other than masonry, it shall extend beyond and underlap the flooring all around the opening, not less than two inches.

Rooms. Size of in apartment. Least width. Minimum height. Area of kitchen. Width of water-closet. Height of water-closet, bathroom, slop sink or dressing room. Size of closet or dressing room. Room not to be subdivided.

SEC. 29. In every apartment in every tenement house hereafter erected there shall be at least one room containing not less than one hundred twenty square feet of superficial floor area, and every other room shall contain at least ninety square feet of superficial floor area, except water-closet, bath or slop-sink compartments, and except kitchens, closets, recesses from rooms, or dressing rooms.

Every kitchen shall contain not less than fifty square feet of superficial floor area.

Every room shall at every point be not less than seven feet in width, nor less than nine feet in height, measured from the finished floor to the finished ceiling; except that attic rooms and rooms where sloping ceilings occur need be nine feet in height in but one-half the area of the room; *provided, however,* that the provisions of this paragraph shall not apply to water-closet, bath or slop-sink compartments, nor to closets, nor to recesses from rooms, nor to dressing rooms, nor shall the provisions of this paragraph as to minimum width apply to kitchens.

Every water-closet compartment shall be not less than thirty-six inches in clear width, and every such water-closet compartment, bath or slop-sink compartment, or closet, or recess from a room, or dressing room, shall have a height of not less than seven feet six inches, measured from the finished floor

to the finished ceiling. Every closet, recess from a room, or dressing room, which contains more than twenty-five square feet of superficial floor area (built-in dressers, clothes presses and similar features which are a substantial part of the structure shall not be deemed to be a part of the floor area of a closet, recess from a room) or dressing room shall conform to all of the provisions of this act as to rooms, and shall contain not less than ninety square feet of superficial floor area.

No part of any room in any tenement house shall hereafter be enclosed or subdivided wholly, or in part, by a curtain, portiere, fixed or movable partition, or other contrivance or device, for any purpose contrary to any of the provisions of this act.

Entertainment, amusement or reception rooms hereafter constructed, altered or converted in any tenement house shall conform to the provisions of section thirty-three of this act.

Windows. Rooms to have. Upon what to open. When may open through porches.

SEC. 30. In every tenement house hereafter erected every room, kitchen, and every water-closet compartment, toilet or shower room, and bath or slop-sink room, (except in the cellar) shall have at least one window of the area hereinafter required opening directly upon a street, or upon a yard or court, of the dimensions specified in this act and located on the same lot.

All windows required by this act shall be located so as to properly light all portions of the rooms, and shall be made so as to open in all parts and so arranged that at least one-half of each such window may be opened unobstructed; *provided, however,* that the windows required by this section in a water-closet compartment, toilet or shower room, and bath or slop-sink room, may open directly into a vent shaft, such vent shaft to be of the minimum size and constructed of the materials and in the manner prescribed by section sixty-one of this act; *provided, further,* that windows required to open onto a street, yard, or an outer court, except windows from kitchens, may open through porches, provided that said porches do not exceed seven feet in depth measured at right angles to the windows and that at least seventy-five per cent of the entire side of the porch, bounded by the street, yard, or outer court, is left open except that the open space may be enclosed with mosquito screens.

Windows. Area of. How measured.

SEC. 31. In every tenement house hereafter erected the total window area in each room except in a water-closet compartment, bath, toilet, slop-sink room or shower room shall be *at least one-eighth of the superficial floor area of the room.*

The aggregate window area in each room shall be not less than twelve square feet, and no single window shall be less than six square feet in area.

All measurements for window area shall be taken to outside of sash.

Windows. Area of in water-closet, bath, toilet, slop sink or shower room.

SEC. 32. In every tenement house hereafter erected each window in a water-closet compartment or bath, toilet or slop-sink room, or shower room, shall be not less than three square feet in area. The aggregate area of windows for each such compartment or room shall be not less than six square feet. In each such compartment or room containing more than one water-closet, bath, urinal or slop-sink, the aggregate window area shall be equivalent to three square feet for each water-closet, bath, urinal or slop-sink therein, except that at no time need the aggregate window area exceed one-fourth of the superficial floor area of such compartment or room.

Windows. Ventilation of amusement, entertainment or reception room. Fan exhaust system.

SEC. 33. In every tenement house hereafter erected, the total window area in each room used for the purpose of amusement, entertainment or as a reception room, or any room used for similar purposes, which room has a superficial floor area not exceeding one hundred eighty square feet, shall be at least one-eighth of the superficial floor area of such room.

Every such room which has a superficial floor area exceeding one hundred eighty square feet shall have an aggregate window area not less than that required for a room of one hundred eighty square feet of superficial floor area.

Amusement, entertainment or reception rooms and rooms used for similar purposes, in lieu of being provided with windows, as in this section prescribed, may be provided with a fan exhaust system of ventilation. Such fan exhaust system of ventilation shall consist of independent inlet ducts, extending from the outer air to each such room and exhaust ducts extending from each such room to the outer air above the highest roof of the building.

All of the inlet ducts and exhaust ducts shall be constructed of galvanized iron or other smooth-surfaced, nonabsorbent material and so arranged that they may be readily cleaned out.

The exhaust ducts shall always be connected to an exhaust fan mechanically operated, so designed and operated as to provide a complete change of air in not to exceed fifteen minutes for each such room.

Any person in charge of a building in which a system of fan exhaust ventilation, as in this section is required, who fails neglects or refuses to operate and maintain the said sys

of ventilation in good order and repair so that the ventilation (complete change of air) herein specified is provided in each such room at all times, shall be deemed guilty of a misdemeanor and subject to all of the penalties fixed by this act.

Every amusement, entertainment or reception room, or any room used for similar purposes, shall have a minimum height between the finished floor and the finished ceiling of not less than nine feet. No such room or part thereof shall be used for living or sleeping apartments, except that said room or part thereof complies with all of the other provisions of this act, for living and sleeping apartments.

Windows. In public hallway. Size of. Location. Skylight in lieu of window. French windows or doors.

SEC. 34. In every tenement house hereafter erected, every public hallway on any floor where there are more than three apartments shall have at least one window opening directly upon a street, or upon a yard or a court of the dimensions specified in this act and located on the same lot; such windows shall be at the end of the public hallway and placed so as to secure the maximum light into the hallway; *provided, however,* that in tenement houses not exceeding two stories in height, the public hallway may, in lieu of such windows, be lighted and ventilated by one or more skylights constructed in accordance with the provisions of this act.

Every window required by this act in a public hallway shall be not less than twenty-nine inches in clear width, nor less than fifty-eight inches in height, and the finished sill of same shall not be more than thirty inches above the adjoining finished floor. Every such window shall be made so as to open and so arranged that at least one-half of the window may be opened unobstructed.

Every skylight provided for in this section shall have an effective horizontal area of glass of not less than fifteen square feet, and shall have ridge ventilators or fixed or movable louvres so as to provide a ventilating area of not less than five hundred square inches. Such skylights shall be so located that no portion of the hallway be distant more than twenty feet (measured from a vertical line) from a skylight opening.

Any part of a public hallway which is offset, recessed, or cut off from any other part of a hallway where such offset or recess is more in length than one and one-half times the width of the public hallway from which it offsets or recesses, shall be deemed a separate public hallway within the meaning of this section.

French windows or doors, if arranged to open and glazed to give the areas of opening and glass required by this act for windows in public hallways, may be used in lieu of windows therein.

Ventilating skylight over stairway.

SEC. 35. In every tenement house two or more stories in height hereafter erected, where there are more than three apartments on any one floor, there shall be provided at the roof over each stairway a ventilating skylight, placed directly as practicable over same, having a minimum effective horizontal area of glass at least twenty square feet in area for buildings two stories in height, and the area of glass in such skylight shall be increased at a ratio of six square feet for each additional story in height. In every such skylight the ventilating area shall be not less than five hundred square inches.

Every such skylight and the ventilating openings and the shutters and the closing and opening devices for the ventilating openings shall be made of approved incombustible materials, and so arranged that the entire ventilating area may be readily opened from at least the topmost and first story levels, except that in tenement houses not exceeding four stories in height the ventilators may be arranged so as to open from at least the first story, or the ventilators may be fixed permanently in an open position.

Skylights as in this section prescribed may be omitted in case that windows are provided of the size fixed by section thirty-four hereof and located adjoining the stairways, and that each window adjoining the stairway be provided with an open louvre or ventilator providing a ventilating area of not less than one hundred square inches or such louvre or ventilator may be placed in the roof over the stairway, in which event the ventilating area shall be not less than five hundred square inches.

Whenever a skylight is required as in this section provided there shall be constructed a stair well, the clear open area of which shall be at each floor equal to one-third of the area of glass in the skylight.

Arrangement of apartment. Water-closet.

SEC. 36. In every tenement house hereafter erected, every apartment shall be so arranged that access may be had to every living room, and to at least one water-closet compartment, without passing through a bedroom; *provided, however,* that nothing in this section shall be so construed as to prohibit passing through a bedroom in going from a kitchen to a bathroom or water-closet compartment.

Water-closets. Number. Construction of.

SEC. 37. In every tenement house hereafter erected there shall be installed one water-closet within each apartment located in a separate compartment or located in a compartment with a bathtub, shower or lavatory, used exclusively by the occupants of the apartment.

No door or other opening to a water-closet compartment shall open from or into any room in which food is prepared or stored. The walls enclosing a water-closet compartment shall be well plastered or constructed of some nonabsorbent material, except that the ordinary wood trim of openings may be used in such compartment. Every such compartment shall be provided and equipped with a full door, properly hung, and provided with a lock or bolt to lock same.

The floor of every such water-closet compartment shall be made waterproof with asphalt, tile, marble, terrazzo, cement or some other similar nonabsorbent material, and such waterproofing shall extend not less than six inches on the vertical walls of the room. No water-closet fixture shall be enclosed with woodwork.

Water-closets in prior erected house. Number required.

SEC. 38. In every tenement house erected prior to the passage of this act there shall be provided at least one water-closet in a separate compartment, located on the public hallway of the same floor, for every three apartments or fractions part thereof on such floor which are not provided with private water-closets. Where two or more water-closets are required by the provisions of this section to be located on a public hallway, one of such water-closets shall be distinctly marked "for men," and one of the water-closets distinctly marked "for women"; *provided, however,* that the housing department charged with the enforcement of this act may exempt any tenement house existing at the time of the passage of this act from fully complying with the provisions of this paragraph when, in its discretion, such deviation will not be detrimental to the health of the occupants thereof or to the sanitation of the said tenement house or premises.

Nothing in this section shall be construed as permitting such exemptions to apply to any addition or extension to any tenement house.

Every water-closet hereafter placed in a tenement house erected prior to the passage of this act shall comply with every provision of this act relative to water-closets installed in tenement houses hereafter erected, except that if a water-closet is installed in the top story of any such building, the compartment in which it is installed may be ventilated by a skylight with fixed louvres in lieu of a window; *provided, however,* that a new water-closet may be installed to replace a defective or antiquated fixture in the same location.

Every tenement house erected prior to the passage of this act, or hereafter erected, where a connection with the sewer is possible, shall discontinue the use of any school sink, privy vault or any similar receptacle used to receive fecal matter, urine or sewage, and every such receptacle shall be completely

~~removed~~ and the place where it was located be properly disinfected. All such receptacles shall be replaced by individual water-closets of durable nonabsorbent material, properly connected, trapped, vented and provided with flush tanks, the same as is required, by the provisions of this act, in tenement houses hereafter erected.

Bathroom. Tub or shower. Construction. Kitchen sink in each apartment.

SEC. 39. In every tenement house hereafter erected there shall be a bathtub or shower within each apartment, and such bathtub or shower shall be located in a separate compartment, or there may be provided one such bathtub or shower in a separate compartment for every three such apartments which are not provided with private baths or showers; *provided*, that said bathtub or shower is on the same floor and is accessible from each apartment through the public hallway.

In every tenement house hereafter erected there shall be at least one kitchen sink within each apartment.

The walls, floors and openings to every bath, shower or slopsink room hereafter constructed shall conform to all of the provisions of this act relative to the waterproofing of the walls and floors, and of the construction of the doors of water-closet compartments in tenement houses hereafter erected.

Bathtubs or showers in prior erected house. Number required.

SEC. 40. In every tenement house erected prior to the passage of this act there shall be provided at least one bathtub or shower in a separate compartment, located on the same floor, for every five apartments, or fractional part thereof, which are not provided with private baths or showers, on each such floor, and there shall be provided at least one kitchen sink in each apartment; *provided, however*, that the department charged with the enforcement of this act may exempt any tenement house existing at the time of the passage of this act from fully complying with the provisions of this section when, in its discretion, such deviation will not be detrimental to the health of the occupants thereof or to the sanitation of the said tenement house or premises; *provided, further*, that no such exemption shall apply to any addition or extension to a tenement house.

Plumbing. Type of faucets and number.

SEC. 41. In every tenement house hereafter erected every plumbing fixture shall be provided with running water, and there shall be provided faucets, with running water, sufficient in number so that all of the yards, courts and passageways may be washed. Faucets shall be of the hose bibb type, not less than three-quarter inch size.

Every plumbing fixture affecting the sanitary drainage system in tenement houses hereafter erected, shall be properly connected with the street sewer, if a street sewer exists in the street abutting the lot on which the building is located and is ready to receive connections. When it is impracticable to connect such plumbing fixtures with a street sewer, then the plumbing fixtures shall be connected and drained into a cesspool constructed satisfactorily to the department charged with the enforcement of this act; or some other means of sewage disposal satisfactory to the department charged with the enforcement of this act may be made until such time as it may become practicable and possible to connect with the street sewer.

Water for plumbing fixture. Faucet three-quarter inch.

SEC. 42. In every tenement house erected prior to the passage of this act, every plumbing fixture shall be provided with running water, and there shall be provided faucets, with running water, sufficient in number so that all of the yards, courts and passageways may be washed. Faucets shall be of the hose bibb type, not less than three-quarter inch size.

Plumbing fixtures where no water. Privy vault.

SEC. 43. Water-closets, baths, showers, sinks, slop-sinks, faucets and other plumbing fixtures required by this act need not be installed in the event that the tenement house hereafter erected or an existing tenement house, as the case may be, is situated where there is no running water and where there is no practical means of sewage disposal, until such time as it becomes practicable and possible to obtain running water and means of sewage disposal; *provided*, in every such case the department charged with the enforcement of this act shall decide whether or not it is practicable and possible to provide running water and proper means of sewage disposal. A special permit in writing shall be obtained in every such case from the department charged with the enforcement of this act, which permit shall be made in duplicate, and a copy thereof shall remain on file in the department issuing it; *provided, further*, that proper, separate toilet facilities for each sex shall be provided for the use of the occupants of such building. Such facilities shall be made sanitary. A privy, or toilet other than a water-closet, erected under the authority of this section shall consist of a pit at least three feet deep, with suitable shelter over the same to afford privacy, and protection from the elements. The openings of the shelter and pit shall be enclosed by mosquito screening, and the door to the shelter shall be made to close automatically by *means of a spring or other device*. No privy pit shall be allowed to become filled with excreta to nearer than one foot from the surface of the ground, and the excreta in the pit shall

be covered with earth, ashes, lime or similar substances at regular intervals. All drainage water shall be conveyed from the premises by means of a covered drain to a covered cesspool.

Plumbing trapped and vented. Woodwork removed. Wooden seats. Sanitation. When plumbing fixture ordered out.

SEC. 44. In every tenement house hereafter erected all plumbing fixtures affecting the sanitary drainage system shall be properly trapped and vented and made sanitary in every particular. In any tenement house hereafter erected, and in any tenement house erected prior to the passage of this act no plumbing fixtures shall be enclosed with woodwork, but the space under and around same must be left entirely open. All woodwork enclosing a water-closet, sink, slop-sink, wash tray or lavatory shall be removed and the floor and wall surface beneath and around such water-closet, sink, slop-sink, wash tray or lavatory shall be maintained in good repair, and if of wood, well painted with a light colored paint of sufficient body to make it non-absorbent. All wooden seats, attached to water-closet bowls, shall be varnished or enameled, or by some other method be made nonabsorbent.

In every tenement house hereafter erected water-closets shall have earthenware bowls and shall have earthenware seats integral with the bowls, or wooden seats varnished or enameled so as to be nonabsorbent, or seats made of some nonabsorbent material attached directly to the bowls. No wooden wash trays or wooden kitchen sinks shall be permitted in such buildings. All plumbing connections hereafter made in buildings shall be of standard lead, iron, steel or brass; and every gas and water service connection hereafter made shall be of steel or iron, and shall be equipped with cut-off valves placed outside of the building and such cut-off valves shall be readily accessible.

Whenever any plumbing fixture becomes insanitary the department charged with the enforcement of this act is hereby empowered to order the same removed and to order that it be replaced by a fixture conforming to the provisions of this act.

Egress from apartment. Fire escape.

SEC. 45. Every tenement house hereafter erected, three or more stories in height and in which there are three or more apartments on any one floor, shall be so designed and constructed that every apartment in such building shall have not less than two means of egress, either by stairways or fire escapes, constructed in accordance with the provisions of this act. Such means of egress shall be accessible from every apartment, either directly or through a public hallway, and so located that should one egress be or become blocked, the other egress shall be available.

Stairways. Two at least. Width. Outside to cellar or basement.

SEC. 46. Every tenement house hereafter erected shall have not less than two stairways.

Every fireproof tenement house hereafter erected shall have not less than one stairway, not less than three feet six inches wide, for each six thousand square feet, or fractional part thereof, of floor area in any one floor above the first floor thereof.

Every semifireproof tenement house hereafter erected shall have not less than one stairway, not less than three feet six inches wide, for each four thousand square feet, or fractional part thereof, of floor area in any one floor above the first floor thereof.

Every wooden tenement house hereafter erected shall have not less than one stairway, not less than three feet six inches wide, for each three thousand square feet, or fractional part thereof, of floor area in any one floor above the first floor thereof.

Every tenement house hereafter erected shall have not less than one stairway leading from the outside to every basement or cellar thereof.

Stairways. Computing number of.

SEC. 47. The largest floor area above the ground floor shall be used as the basis for computing the number of stairways required in every tenement house hereafter erected; *provided*, that if all floors above the largest floor area of the building are diminished in area, the stairway or stairways from that portion of the building containing a smaller area may be computed on the basis of the largest floor area in that portion of the building.

Stairways. Access to. When may abut on elevator shaft. Steam boiler. Furnace room.

SEC. 48. All stairways hereafter constructed shall be located so as to furnish the best means of egress from the building, and shall be as far removed from each other as practicable, and shall be as follows:

Access to stairways shall be provided at every floor by means of a public hallway, corridor, or passageway, and the public hallway, corridor, passageway and stairway from the ground exit level to the top story or roof shall be accessible at all times.

No stairway shall abut on more than one side of an elevator shaft, except on the lowest and topmost stories, provided that the stairway is so located that it can be approached from the street entrance without passing by or in front of the open side of the said elevator shaft.

No stairway shall be located over a steam boiler, gas meter or gas heater or furnace, unless such boiler, gas meter, gas heater, or furnace be located in a room, the walls and ceiling

of which are constructed as required for a boiler room by section sixty-three of this act. No stairway leading from any other portion of the building shall terminate in or pass through a boiler room.

Stairways. Rise and run. Head room. Handrail. Ground to top story. Construction. Winding stairs forbidden.

SEC. 49. Every stairway hereafter constructed shall be as follows: have a rise of not more than eight inches and a run of not less than nine inches, without change in the run or rise between floors; and shall be provided with head room of not less than six feet six inches measured from the nearest nosing of the stairway to the nearest soffit.

The depth of every landing in a stairway shall be not less than the width of the stairway, and all treads shall be of equal width for every run of stairs, and shall not vary in width in the width of the stairs.

Stairways required by this act shall be continuous from the ground floor level to the top story, *i. e.*, the flights of such stairways shall be constructed one directly above the other, or shall be constructed so that each flight shall be in plain view of each succeeding flight; *provided, however,* that half of the stairways from the upper floors may terminate at the second floor, in the event that the stairways from the first to the second floor be increased in width not less than fifty per cent.

Every stairway shall have at least one handrail, and if the stairway be five feet or more in width, shall have a handrail on each side thereof.

The underside and soffits of wooden stairways and the outside stringers of open stairways except outside stairway, in semifireproof and wooden tenement houses shall be metal lathed and plastered not less than three-quarters inch thick including the lath, or lathed with an approved plaster board and plastered not less than three-quarters inch thick including the plaster board.

The width of stairways shall be measured in the clear of all projections except the baseboards, and except that handrails and newel posts may project not more than four inches.

Stairway. When closet under forbidden.

SEC. 50. No closet of any kind shall be constructed in any tenement house under any wooden stairway, but such space shall be kept entirely open, and be kept clean and free from all encumbrances; or such space shall be effectually closed with walls of studs, lathed and plastered, with no door or opening of any kind therein; *provided, however,* that the provisions of this section as to a closet under a stairway shall not apply to any tenement house not more than two stories in height, in which not more than two families live above the first floor thereof.

Stairway. One runs to roof. Scuttle. Penthouse. Construction. Scuttle or penthouse door not to be locked.

SEC. 51. In every tenement house hereafter erected more than two stories in height, the stairway nearest to the main entrance of the building shall be carried to the roof level and shall give egress to the roof through a penthouse or roof structure.

In every such building not exceeding two stories in height there shall be constructed a scuttle in the public hallway near the stairway. Such scuttle shall be not less than two feet by three feet in area, and shall be cut through the ceiling and roof.

Penthouses over stairways shall be built either of fireproof materials or of wood studs, lathed with metal lath or approved plaster board and plastered not less than three-quarters inch thick including the lath or plaster board on the inside and outside thereof; or such penthouses may be covered in the same manner and with the same kind of materials as required by this act for the doors from such penthouses.

The door to the roof from a penthouse or roof structure shall be self-closing and shall open outward to the roof, and shall be covered on both sides and edges with tin or other metal.

The frames and trim of such door opening shall be similarly constructed and all glass in such door shall be wired glass not less than one-fourth inch thick.

Every tenement house of more than two stories in height, erected prior to the passage of this act, shall have in the roof a penthouse or a scuttle, which scuttle shall be not less than two feet by three feet in area, located in the ceiling of a public hallway. There shall be provided a stairway or a stationary ladder, leading from the top floor of such tenement house to the roof thereof. Such stairway or stationary ladder shall be made readily accessible to all the tenants of the building. No scuttle or penthouse door shall at any time be locked with a key, but may be fastened on the inside by a movable bolt or lock.

Public hallways, landings, corridors. Width.

SEC. 52. Public hallways, landings and corridors from stairways shall be of the same width and measured in the same manner as the stairways, as provided in section fifty hereof.

Fire escapes. When required. At least one. Number, how estimated. Five types. Construction. One on front of house. Metal painted or galvanized.

SEC. 53. On every tenement house hereafter erected more than two stories in height, which contains more than three apartments, there shall be provided at least one fire escape. If such tenement house exceeds three thousand square feet of floor area on any one floor above the second floor,

thereof, such building shall be provided with one additional fire escape for each four thousand square feet of floor area or fractional part thereof.

Fire escapes required by this act shall be of one of the following types:

Type 1. Metallic throughout and fastened securely to the exterior walls of the building, with a balcony at each story above the first story thereof, with inclined stairways connecting all balconies and a goose-neck ladder connecting the topmost balcony to the roof. The lowest balcony of such fire escape to be not more than fourteen feet above the street or ground level directly under same.

All metallic balconies shall be not less than forty-four inches in width nor less than thirty-three square feet in area. The stairway openings therein shall be not less than twenty-one inches wide and forty inches in length. The balcony balustrade shall be not less than thirty-four inches high, with no opening in such balustrade greater than eight inches in horizontal dimension.

There shall be no opening greater than one inch in width in a fire escape balcony platform, except the stair well opening.

There shall be no opening greater than one inch in width in the lowest fire escape balcony platform, except that there be attached a counterbalanced or permanent ladder reaching to the street or ground below.

Every balcony platform shall be fastened to the outside walls of the building by building in and anchoring to such walls the balcony platform and the balustrade framing, or by securely bolting same thereto. Every balcony shall be supported by brackets, braces, or struts fastened to or built in and anchored to the walls.

The inclined stairways shall be not less than eighteen inches in width and placed in no part nearer than twenty-one inches from the face of the wall. Such inclined stairways shall have an inclination of not less than four inches and not more than six inches horizontally to each twelve inches of vertical height. The treads shall be not less than four inches wide, placed not more than twelve inches apart. Each side of such stairways shall be provided with a handrail not less than one inch in diameter fastened to the stair stringers and continued around the well hole openings of balcony platform.

The goose-neck ladder shall be not less than fifteen inches wide and extend vertically from the topmost balcony to three feet above the fire wall or roof above, and then be brought down and fastened to the inside face of the fire wall or to the roof. The rungs of the goose-neck ladder shall be not less than five-eighths inch round iron or steel, placed not more than fourteen inches apart. The goose-neck ladder shall be securely braced and fastened to the outside wall, and in no case shall

such ladder pass in front of any opening in the wall to the interior of the building. The cornice opening for the passage of such ladder shall be not less than twenty-four inches in width and twenty-four inches in the clear outside of the ladder.

Such fire escape shall be framed and riveted or bolted together in a solid, substantial manner and properly supported, braced and fastened to the outside walls so as to be rigid, durable and secure and carry the loads imposed.

All metallic fire escapes shall be painted with not less than two coats of good, durable paint; or such fire escapes may be galvanized.

Type 2. Metallic ladders and stairways conforming to the provisions set forth for type one and with reinforced concrete or iron or steel fireproofed balconies, with fastenings of similar materials. Such balconies to measure the full size inside of balustrades. Floor openings and well holes provided and protected similarly to the requirements for metallic balconies.

Type 3. Any type of an enclosed approved metallic spiral fire escape which consists of a rigid form of an inclined chute or chutes constructed entirely of incombustible material; securely attached to the outside walls of building; provided with proper means of ingress thereto from the building and egress therefrom at the bottom; having means enabling firemen to reach the roof thereby from the ground; equipped with standpipes; painted the same as provided for metallic fire escapes; and satisfactory to the department charged with the enforcement of this act as being as solid, substantial and durable and as fire-proof in construction, and providing at least as safe and efficient means of escape from the building for the occupants thereof, and furnishing all the protection and utility of the metallic fire escapes described as "type one" in this act.

Type 4. Fire and smoke towers, consisting of a fire escape stairway not less than twenty inches in width, constructed of reinforced concrete, iron or steel, or a combination of these materials; and in all other details as required in this act for metallic fire escape stairways; said stairways being continuous the full height of the building from the first floor exit level to the roof, and with handrails on each side thereof the full length of same. Such stairways to be constructed at a point adjoining the exterior walls of the building and be entirely enclosed with walls of brick, terra cotta tile, concrete or reinforced concrete not less than twelve inches thick; such walls to be continuous from the basement up to and extending three feet above the roof of the building, with no covering of any kind over same, and with no openings in the walls of such tower into the building. The enclosing walls of such tower *not to be used to carry or support any floor joist, beam, girder other structural feature of the building, nor to be chased for*

any pipe, conduit or other purpose; to have an exit from the enclosure at the first floor line opening directly to a street or yard, and having an entrance by means of an outside balcony at each floor, such balconies to have a solid floor and in all other details and kind of materials to be as in this act required for metallic fire escape balconies. The balconies to be located and arranged to connect with a door opening from a public hallway in the interior of the building and with a door opening leading from the balcony to the tower, such door opening from the building to the balcony and from the balcony to the tower to be not less than thirty inches wide by seventy-two inches high and be equipped with metal-lined doors and with a frame and threshold of such door openings constructed of fireproof materials.

Type 5. A fire and smoke tower in every way similar to "type four" of this section, except that instead of the outside balcony there be built a vestibule with enclosing walls continuous with and of the same kind of materials and of the same thickness as the enclosing walls of the fire tower; that the vestibule opening be direct from a public hallway and be equipped with metal-lined doors. The vestibule floor to be of masonry construction. The enclosure to have an opening at each floor through the exterior wall of the building, such opening to extend from the floor to the ceiling and be not less in width than three-fourths of the width of the tower, said opening to be protected with an open metallic balustrade similar to that specified for metallic fire escape balconies.

Fire escapes. Type 4 or 5 when considered stairway.

SEC. 54. In any tenement house hereafter erected in which there is constructed a fire escape of "type four" or "type five," as prescribed in this act, such fire escape may be used and constructed as a stairway and a fire escape combined; *provided*, that there is at least one other stairway or one other fire escape constructed in accordance with the provisions of this act, in the said building.

Fire escapes. One on street front. Location of. Signs.

SEC. 55. Every fire escape required by this act shall be located on the building so as to furnish the best means of escape therefrom for the occupants, and at least one such fire escape shall be located on a street front. Every fire escape shall have egress thereto from a public hallway or passageway not less than three feet wide, or such fire escapes in lieu of being located on a public hallway, shall be so located that each apartment has direct egress thereto without passing through another apartment, or if a public parlor, public lobby or similar room is connected directly with the public hall, corridor or passageway through a clear and unobstructed opening,

without doors, then egress may be had thereby to a fire escape. Signs both pointing towards and marking the locations of fire escapes shall be placed on each floor.

Fire escapes. Basis of computing number.

SEC. 56. The largest floor area above the second floor shall be used as a basis for computing the number of fire escapes required by this act; *provided*, that if all floors above the largest floor area are diminished in size, the number of fire escapes from that portion of the building containing the smaller area may be computed on the basis of the largest floor area in that portion of the building.

Fire escapes. Load. Supports. Fastenings. Size of window or door opening on.

SEC. 57. All parts of each balcony platform of a fire escape shall be designed to carry, in addition to the dead load thereof, a live load of one hundred pounds per square foot over the entire area thereof (using outside dimensions) and the live and dead loads from the ladders or stairs supported thereon.

Each ladder shall be designed to withstand a horizontal pressure of one hundred pounds per square foot.

Each stairway shall be designed to carry, in addition to the dead load thereof, a live load of one hundred fifty pounds per square foot of horizontal projection.

Top rails of balcony balustrades shall be designed to withstand a horizontal pressure of one hundred pounds per lineal foot of railing.

Each balcony shall be independently supported.

All fastenings of fire escape balconies to the building shall be designed to carry twenty-five per cent greater load than the total dead and live loads carried by the balconies. The balcony anchorage shall be direct to the structural steel or iron members of the balustrades and platforms extended into the walls and anchored into the structural work of the building.

The level of the inside sill of the door or window giving access to a fire escape balcony or the balcony floor shall be not more than thirty inches above the adjoining floor in the building. Every such door or window opening shall be not less than twenty-nine inches in clear width, nor less than fifty-eight inches in height.

Where double-hung windows are used in such openings, the lower sash shall be at least the size of the upper sash and shall slide to the top of such opening. Any lock used on any such window shall be of a type which can be readily opened from *the interior of the building* without the use of a key or other tool.

Fire escapes. Maintenance of.

SEC. 58. Every fire escape in or on tenement houses hereafter erected, or in or on tenement houses erected prior to the passage of this act, shall at all times be maintained in good order and repair, well painted and clear and unobstructed at all times, and be readily accessible.

Standpipes. When required. Size. Siamese inlet. Location.

SEC. 59. On every tenement house hereafter erected four or more stories in height, there shall be provided one or more metallic standpipes. Each such standpipe shall be not less than four inches in internal diameter, and shall have a Siamese inlet valve near the sidewalk or the ground directly under same, and an outlet valve at each story above the first story and on the roof.

One such standpipe shall be placed on or in the exterior walls of the building at one fire escape on each street frontage, and the outlet valves shall be readily accessible from the balconies of the fire escape.

The inlet and outlet valves on every standpipe shall be threaded and brought to a size which will meet the standard connections of the local fire department of the municipality in which such tenement house is being erected.

The standpipes required by this section need not be installed in any tenement house which is situated where there is no running water and where it is not practicable or possible to obtain water for efficient use of such standpipes in case of fire, until such time as it is practicable and possible to obtain running water; and the department charged with the enforcement of this act shall decide whether or not it is possible or practicable to obtain running water.

Shaft. Elevator, dumb-waiter, vent shaft. Construction. Door or window.

SEC. 60. In every fireproof tenement house hereafter erected, every elevator shaft, dumb-waiter shaft or other interior shaft shall be enclosed in walls constructed of concrete, reinforced concrete, brick, terra cotta tile or other similar hard incombustible materials, or shall be constructed of metal studs lathed either with metal lath or an approved plaster board and plastered on both sides so as to make a solid partition not less than two inches thick.

In every semifireproof or wooden tenement house hereafter erected, every such shaft shall be inclosed by walls constructed as provided by this act for fireproof tenement houses, or such walls may be constructed with wood studs, with wood firestops the same size as the studs, cut in between the studs at each floor and half way between each floor, lathed on both sides with metal lath or an approved plaster board and be plastered.

not less than three-quarters inch thick including the lath or the plaster board.

Every opening from any shaft into the building shall be equipped with a metal door and with door frame and trim entirely of metal; or such door and door frame shall be constructed of wood covered with metal on the shaft side thereof and if there is any glass therein, such glass shall be wired glass not less than one-fourth ($\frac{1}{4}$) inch thick. Every door or window therein shall be made to close tight, and every door except elevator doors therein shall be self-closing.

Every window in such shaft shall be of wired glass, not less than one-fourth ($\frac{1}{4}$) inch thick, set in a metal sash or a sash metal covered on the shaft side thereof. At the roof over every elevator shaft there shall be constructed a ventilating skylight or a ventilator with open louvres.

Vent shaft. Construction. Openings in. Area. Least width. Intake. Pipes.

SEC. 61. In every tenement house hereafter erected every vent shaft shall be enclosed with walls constructed the same as required by this act for elevator shaft in the same class of building. Such vent shafts may, in a semifireproof or wooden tenement house, be lined on the outside thereof (weather side) with metal in lieu of metal lath and plaster; also, that portion of such shaft extending from the ceiling joists to the top thereof may be lined with metal in the same manner as is required for the weather side of such vent shaft.

Every opening from any vent shaft into the building or any window therein, shall be equipped in the same manner as required by this act for elevator shafts in the same class of building.

Plaster on the weather side of any such shaft shall be cement plaster.

Every vent shaft required by this act shall be not less than four feet in any direction and be at least sixteen square feet in area. If such vent shaft exceeds fifty feet in height, measured from the bottom to the top of the walls of such shaft, then such vent shaft shall throughout its entire height be increased in area three square feet for each additional ten feet or fractional part thereof above fifty feet.

Every such vent shaft shall be provided with an air intake or duct at or near the bottom thereof, communicating with the street or yard or a court. Such intake shall be not less than three square feet in total area, and may be divided into not more than three separate ducts running between the joists or otherwise, and shall in all cases be placed as nearly horizontal as possible. Every such intake or duct shall be constructed of approved fireproof material or shall be of metal or metal lined, and be provided with a wire screen of not less than one inch

mesh at each end. Plumbing, gas, steam or other similar pipes may be placed in such vent shaft.

Every such vent shaft shall have a door or a window at or near the bottom of the shaft, so arranged as to permit of its being readily cleaned out.

Inner court. Walls fireproofed. Construction.

SEC. 62. The walls of every inner court in a fireproof tenement house hereafter erected shall be constructed of concrete, reinforced concrete, brick, terra cotta tile or other similar hard incombustible material. In a semifireproof or in a wooden tenement house such inner court walls, if surrounded on four sides by the walls of the same building, shall be constructed as provided for fireproof tenement houses, or may be of wood studs, with wood firestops the same sizes as the studs, cut in between the studs at each floor and half way between each floor, lathed on both sides with metal lath, or an approved plaster board, and be plastered not less than three-quarters inch thick including the lath or the plaster board. Plaster on the weather side of such inner court walls shall be cement plaster, or such inner court walls may be lined on the weather side with not less than the number twenty-six (gauge) metal, in lieu of metal lath and plaster.

Furnace room. Boiler room. Construction. Gravity flow of oil forbidden.

SEC. 63. In every tenement house hereafter erected, every boiler used for purposes of heating the building, using fuel other than gas, and every heating furnace or water-heating apparatus, using oil for fuel, shall be installed in a room, the walls of which room shall be built of concrete, reinforced concrete, brick, stone or terra cotta tile, not less than six (6) inches thick, and such walls shall extend from the floor of the boiler room to the ceiling over same. The entire ceiling of such room shall be built of similar materials as the walls, or shall be built with a double ceiling, with a space of not less than seven-eighths inch between the two ceilings; each ceiling shall be metal lathed or lathed with an approved plaster board and be plastered not less than three-quarters inch thick, including the lath or plaster board. The floor of a boiler room shall be of concrete not less than two (2) inches thick.

Any door in the wall of such room shall be a fire-resisting door, constructed of three (3) thicknesses of seven-eighths ($\frac{7}{8}$) inch by not more than six (6) inches, tongued and grooved, matched redwood boards entirely covered on the sides and edges with lock-jointed tin; every such door shall be self-closing, so hung as to overlap the walls of the room at least three (3) inches, and any glass in any such door or any glass in any window or opening in the walls of a boiler room shall

be wired glass, not less than one-fourth ($\frac{1}{4}$) inch thick, set in a metal or metal covered sash.

All such doors shall have hinges, hangers, latches and other hardware of wrought iron, bolted to the doors, and shall have steel tracks, when sliding doors are used, with wrought-iron stops and binders bolted through the wall. Swinging doors shall have wall eyes of wrought-iron, built into or bolted through the wall.

Every such boiler room shall have a sill across each door not less than four (4) inches high. Such sill shall be of masonry, and the doors shall overlap same at least three (3) inches, or in lieu of a masonry sill a steel or iron sill may be used, in which case the bottom of the door shall close tight on top of same. Every swinging door in a boiler room shall open outward from the boiler room.

Where oil or other fluid fuel is burned, the oil or other fluid fuel shall not be fed by a gravity flow.

Automobile room. Construction.

SEC. 64. In every tenement house hereafter erected any portion of such building, in which there is kept or stored any automobile or automobiles, shall be a room, the enclosing partitions of which shall be built of concrete, reinforced concrete, brick, stone or terra cotta tile, not less than six (6) inches thick, or may be of wood studs lined on the automobile storage room side with redwood boards not less than seven-eighths ($\frac{7}{8}$) of an inch thick covered with asbestos paper one-eighth ($\frac{1}{8}$) of an inch thick, and then covered with No. 26 (gauge) galvanized iron, and such enclosing partitions shall extend from the floor of the room to the ceiling of the same. The entire ceiling of such room shall be built of material similar to that used in the construction of its walls, or shall be either metal lathed and be well plastered or be lathed with an approved plaster board and be well plastered. The floor of every such room shall be of concrete not less than two (2) inches thick.

Every door, window or other opening in the walls of such room, opening to the interior of the building, shall be protected in the same manner as required by section sixty-three hereof for doors, windows and other openings in a boiler room.

Room or hallway added. Height of.

SEC. 65. In any tenement house erected prior to the passage of this act, every additional room or hallway that is hereafter constructed or created, may be of the same height as the other rooms or hallways on the same story of such tenement house.

Room in prior erected house. Living or sleeping in. Public hallway.

SEC. 66. Every room in a tenement house erected prior to the passage of this act shall, if the said room be hereafter occupied for living or sleeping purposes, have a window of an area not less than eight square feet, opening directly upon a street, a yard, a court or upon a vent shaft not less than twenty-five square feet in area, which vent shaft shall in no part be less than four feet wide and open and unobstructed, without roof or skylight over same; except that if such room be located on the top floor of the building, such room may be ventilated by a skylight with fixed louvres directly to the outer air, or may have a window opening upon a vent shaft not less than ten square feet in area, if such window from the room be not more than three feet below the top of the wall of such vent shaft.

Every public hallway in every tenement house erected prior to the passage of this act, which does not conform to the provisions for public hallways in buildings hereafter erected, shall be provided with light and ventilation to the outer air. Such light and ventilation shall be provided by the placing of windows or skylights, or by making such alterations as in the judgment of the housing department may be deemed necessary to accomplish the result.

Cooking. Forbidden where. Unlawful to live or sleep in cellar, bath-room, dressing room, etc. Overcrowding.

SEC. 67. It shall be unlawful for any person to cook or to prepare food, or to permit or suffer any person to cook or to prepare food in any bath, shower, slop-sink or toilet room, water-closet compartment; or in any closet, or recess from a room, or dressing room, which does not conform to all the provisions of this act as to size of kitchens and windows opening to a street, yard or court, or in any other place in such building which, in the judgment of the department charged with the enforcement of this act, is detrimental to the proper sanitation of such building.

It shall be unlawful for any person to live or sleep, or permit or suffer any person to live or sleep in any cellar, bath or shower compartment or slop-sink room, water-closet compartment, hallway, closet, kitchen, recess from a room or dressing room, except when such recess from a room or dressing room has not less than ninety square feet of superficial floor area and complies with every other requirement of this act for rooms, or in any other place which, in the judgment of the department charged with the enforcement of this act, would be dangerous or prejudicial to life or health by reason of want of light, windows, ventilation, drainage, or on account of dampness or offensive, obnoxious or poisonous odors, or in any room that shall be so overcrowded as to afford less than the following

floor space for each occupant, in accordance with the age of the said occupant:

| Number of persons over 12 years of age | Number of persons under 12 years of age | Superficial floor area required |
|---|--|------------------------------------|
| 1 or ----- | 2 ----- | 60 square feet |
| 2 or ----- | 4 ----- | 120 square feet |
| 3 or ----- | 6 ----- | 180 square feet |
| 4 or ----- | 8 ----- | 240 square feet |
| 5 or ----- | 10 ----- | 300 square feet |
| 6 or ----- | 12 ----- | 360 square feet |

Additional floor area in the same ratio shall be provided for additional persons.

Light burning sunrise to sunset, sunset to sunrise.

SEC. 68. In every tenement house there shall be installed and kept burning from sunrise to sunset throughout the year artificial light sufficient in volume to properly illuminate every public hallway, stairway, fire escape egress, elevator, passageway, public water-closet compartment, or toilet room whenever there is insufficient natural light to permit a person to read in any part thereof.

In every tenement house there shall be installed and kept burning from sunset to sunrise throughout the year artificial light sufficient in volume to properly illuminate every public hallway, stairway, fire escape egress, elevator, public water-closet compartment, or toilet room and exterior passageway on the lot.

Light color walls and ceilings of sleeping rooms, courts and shafts.

SEC. 69. The walls and ceilings of every sleeping room in every tenement house shall (except when there is sufficient natural light to permit a person to read in any part thereof during daytime) be calcimined or painted or papered with a light-colored material, and such calcimine, paint or paper, as the case may be, shall be renewed as often as is necessary to maintain the same of a light color and clean and free from vermin.

The walls of courts and shafts, unless built of light-colored materials, shall be painted of a light color or whitewashed, and such painting or whitewashing shall be renewed as often as is necessary to maintain the same of a light color.

Wall paper and calcimine removed.

SEC. 70. No wall, partition or ceiling of any room in any tenement house shall be repapered, calcimined, or have any other covering placed thereupon unless the old wall paper or other covering shall have first been removed therefrom, and the said wall, partition or ceiling cleaned, disinfected and freed from bugs, insects or vermin.

Roof waterproof and drained. Upkeep of house. Yards, courts, etc., graded and drained.

SEC. 71. Every tenement house shall be maintained in good repair. The roofs shall be kept waterproof and all storm or casual water properly drained and conveyed therefrom to the street sewer, storm drain or street gutter.

All portions of the lot about a tenement house, including the yards, areaways, vent shafts, courts and passageways, shall be properly graded and drained; and whenever the department charged with the enforcement of this act deems it necessary for the protection of the health of the occupants of such building, or for the proper sanitation of the premises, it may require that the said lot, yards, areaways, vent shafts, courts and passageways be graveled or properly paved and surfaced with concrete, asphalt or similar materials.

Door or window, when to be screened.

SEC. 72. There shall be provided, whenever it is deemed necessary for the health of the occupants of any tenement house or for the proper sanitation or cleanliness of any such building, metal mosquito screening of at least sixteen mesh, set in tight-fitting removable sash, for each exterior door, window or other opening in the exterior walls of the building.

Garbage cans. When garbage chute may be installed.

SEC. 73. In every tenement house there shall be provided by the occupants, or tenants, such number of tight metal receptacles with close-fitting metal covers for garbage, refuse, ashes and rubbish as may be deemed necessary by the department charged with the enforcement of this act, or in lieu of such metal receptacles there may be constructed a garbage chute or shaft approved by the housing department. Each of said receptacles shall be kept in a clean condition by the occupants, or tenants and in the case of a chute or shaft by the person in charge or in control of the building.

House and lot to be clean and sanitary.

SEC. 74. Every room, hallway, passageway, stairway, wall, partition, ceiling, floor, skylight, glass window, door, carpet, rug, matting, window curtain, water-closet compartment or room, toilet room, bathroom, slop-sink, or washroom, plumbing fixture, drain, roof, closet, cellar, or basement in any tenement house or on the lot, yard, court or any of the premises thereof, shall be kept in every part clean and sanitary and free from all accumulation of debris, filth, rubbish, garbage or other offensive matter.

No person shall, or cause or permit any person to, deposit any swill, garbage, bottles, ashes, cans or other improper substances in any water-closet, sink, slop-hopper, bathtub, shower, catch-basin, or in any plumbing fixture connection or drain

therefrom; or otherwise to obstruct the same; or to place or cause or permit to be placed any filth, urine or other foul matter in any place other than the place provided for same; or to keep or cause or permit to be kept any urine or filth or foul matter in any room or apartment in any tenement house, or in or about the said building or premises thereof, for such length of time as to create a nuisance.

Bedding and mattresses to be clean.

SEC. 75. In every tenement house, every part of every bed, including the mattress, sheets, blankets and bedding, shall be kept in a clean, dry and sanitary condition, free from filth, urine or other foul matter, in or upon the same; and free from the infection of lice, bedbugs or other insects.

Articles dangerous or detrimental to life or health.

SEC. 76. In no tenement house or any part thereof, or in the lot, yard, court or any portion thereof, shall there be kept, stored or handled any article dangerous or detrimental to life or to the health of the occupants thereof; nor shall there be stored, kept or handled any feed, hay, straw, excelsior, cotton, paper stock, rags or junk, except upon a written permit so to do, obtained from the fire commissioner or other department authorized to issue such permit. Every such permit shall be deemed to be a public record, made in duplicate, and a copy thereof shall remain on file in the office of the fire commissioner or department issuing same.

Animals, fowls, etc., forbidden. Stable, when forbidden. Bakery or fat boiling. Spirituous liquors, etc.

SEC. 77. No horse, cow, calf, swine, sheep, goat, rabbit, mule or other animal, chicken, pigeon, goose, duck or other poultry shall be kept in any tenement house or any part thereof; nor shall any such animal or poultry, nor shall any stable be kept or maintained on the same lot, yard, court or premises of a tenement house or within twenty feet of any window or door or such building, nor shall there be hereafter constructed, altered, converted or maintained in any tenement house any public automobile garage or machine shop, or automobile repair shop.

No bakery or place of business in which fat is boiled shall be constructed or maintained in any tenement house, unless such bakery or place of business in which fat is boiled is constructed of approved fireproof materials, with no openings connecting into the tenement house, and so separated and arranged as to prevent odors from entering such building.

No tenement house shall be connected with or have any door, window or transom opening to any part of a building wherein spirituous liquors, drugs, paint or oil are stored or kept for the purpose of sale or otherwise.

Janitor or housekeeper, when.

SEC. 78. In every tenement house in which eight (8) or more families reside, and in which the owner does not live, there shall be a janitor, housekeeper or other responsible person, who shall reside in such tenement house or on the same lot or premises thereof and have charge of same.

Proceeding on violation of act.

SEC. 79. In case any tenement house, or any part thereof, is constructed, altered, converted or maintained in violation of any provisions of this act or of any order or notice of the department charged with its enforcement, or in case a nuisance exists in any such tenement house or building or structure, or upon the lot on which it is situated, said department may institute any appropriate action or proceeding to prevent such unlawful construction, alteration, conversion or maintenance, to restrain, correct or abate such violation or nuisance, to prevent the occupation of said tenement house, building or structure, to prevent any illegal act, conduct or business in or about such tenement house or lot. In any such action or proceeding said department may, by affidavit setting forth the facts, apply to the superior court, or to any judge thereof, for an order granting the relief for which said action or proceeding is brought, or for an order enjoining all persons from doing or permitting to be done any work in or about such tenement house, building, structure or lot, or from occupying or using the same for any purpose, until the entry of final judgment or order. In case any notice or order issued by said department is not complied with, said department may apply to the superior court or to any judge thereof, for an order authorizing said department to execute and carry out the provisions of said notice or order, to remove any violation specified in said order or notice, or to abate any nuisance in or about such tenement house, building or structure, or the lot upon which it is situated. The court, or any judge thereof, is hereby authorized to make any order specified in this section. In no case shall the said department or any officer thereof or the municipal corporation be liable for costs in any action or proceeding that may be commenced in pursuance of this act.

Fine a lien on house.

SEC. 80. Every fine imposed by judgment under section six of this act upon a tenement house owner shall be a lien upon the house in relation to which the fine is imposed, from the time of the filing of a certified copy of said judgment in the office of the recorder of the county in which said tenement house is situated, subject only to taxes and assessments and water rates, and to such mortgage and mechanics' liens as may exist thereon prior to such filing; and

it shall be the duty of the department charged with the enforcement of the provisions of this act, upon the entry of such judgment, to file forthwith the copy as aforesaid, and such copy upon filing shall be forthwith indexed by the recorder in the index of mechanics' liens.

Notice of pendency of action filed where. How canceled.

SEC. 81. In any action or proceeding instituted by the department charged with the enforcement of this act, the plaintiff or petitioner may file, in the county recorder's office of the county where the property affected by such action or proceeding is situated, a notice of the pendency of such action or proceeding. Said notice may be filed at the time of the commencement of the action or proceeding, or at any time afterwards before final judgment or order, or at any time after the service of any notice or order issued by said department. Such notice shall have the same force and effect as the notice of pendency of action provided for in the Code of Civil Procedure. Each county recorder with whom such notice is filed shall record it and shall index it in the name of each person specified in a direction subscribed by an officer of the department instituting such action or proceeding. Any such notice may be vacated upon the order of a judge of the court in which such action or proceeding was instituted or is pending. The recorder of the county where such notice is filed is hereby directed to mark such notice, and any record or docket thereof as canceled of record, upon the presentation and filing of a certified copy of such order.

Name and address of owner and lessee filed. Description of house.

SEC. 82. Every owner of a tenement house and every lessee of the whole house, or other person having control of a tenement house, shall file in the housing department a notice, containing his name and address, and also a description of the property, by street and number and otherwise, as the case may be, in such manner as will enable the department charged with the enforcement of this act easily to find the same; and also the number of apartments in each house, the number of rooms in each apartment, and the number of families occupying the apartments. In case of a transfer of any tenement house, it shall be the duty of the grantee of said tenement house to file in the housing department a notice of such transfer, stating the name of the new owner, within thirty days after such transfer. In case of the devolution of the said property by will, it shall be the duty of the executor and the devisee, if more than twenty-one years of age, and in the case of devolution of such property by inheritance without a will, it shall be the duty of the heirs, or in case all the heirs are under age, it shall be the duty of the administrator of the deceased owner of said property, to

file in said department a notice, stating the death of said owner and the names of those who have succeeded to his interests, within thirty (30) days after the death of the decedent, in case he died intestate, and within thirty days after the probate of his will, if he died testate.

Name and address of agent for service of process filed.

SEC. 83. Every owner, agent or lessee of a tenement house shall file in the housing department a notice containing the name and address of such agent of such house, for the purpose of receiving service of process, and also a description of the property, by street and number or otherwise, as the case may be, in such manner as will enable the department charged with the enforcement of this act easily to find the same. The name of the owner or lessee may be filed as agent for this purpose.

Names and addresses indexed.

SEC. 84. The names and addresses filed in accordance with sections eighty-two and eighty-three hereof shall be indexed by the housing department in such a manner that all of those filed in relation to each tenement house shall be together and readily ascertainable. Said indices shall be public records, open to public inspection during business hours.

Notice or order served five days before.

SEC. 85. Every notice or order in relation to a tenement house shall be served five days before the time for doing the thing in relation to which it shall have been issued.

Summons, how served.

SEC. 86. In any action brought by any department charged with the enforcement of this act in relation to a tenement house, for injunction, vacation of the premises or other abatement of nuisance, or to establish a lien thereon, it shall be sufficient service of summons to serve the same as notices and orders are served under the provisions of the Code of Civil Procedure.

Act to be minimum requirement. Further restrictions may be imposed. Laws and ordinances inconsistent repealed.

SEC. 87. The provisions of this act shall be held to be the minimum requirements adopted for the protection, the health and the safety of the community, and for the protection, the health and the safety of the occupants of tenement houses. Nothing in this act contained shall be construed as prohibiting the local legislative body of any incorporated town, incorporated city, incorporated city and county, or county, from enacting, from time to time, supplementary ordinances or laws imposing further restrictions, or providing for fees to be charged for permits, certificates, or other papers required by

this act; but no ordinance, law, regulation or ruling of any municipal department, authority, officer or officers, shall repeal, amend, modify or dispense with any of the provisions of this act.

All statutes of the state and all ordinances of incorporated towns, incorporated cities, incorporated cities and counties, and counties, as far as inconsistent with the provisions of this act, are hereby repealed; *provided*, that nothing in this act contained shall be construed as repealing or abrogating any present law or ordinance of any incorporated town, incorporated city, incorporated city and county, or county in the state which further restricts the percentage of the lot to be covered by a tenement house, the number of stories or height of such tenement house or number of apartments therein, the occupation thereof, the materials to be used in its construction, or increasing the size of the yards or courts, the floor space to each person occupying a room, the requirements as to sanitation, ventilation, light and protection against fire.

Nothing in this act contained shall be construed as abrogating, diminishing, minimizing or denying the power of any incorporated town, incorporated city, incorporated city and county, or county, by ordinance or law, to further restrict the percentage of the lot to be covered by a tenement house within said municipality, the number of stories or height of such tenement house or number of apartments therein, the occupation thereof, the materials to be used in its construction, or increasing the size of the yards or courts, the floor space to each person occupying a room, the requirements as to sanitation, ventilation, light and protection against fire.

Constitutional declaration.

SEC. 88. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Act effective September 1, 1917.

SEC. 89. This act shall take effect and be in force from and after September 1, 1917.

Repeal of existing act.

SEC. 90. The act entitled "An act to regulate the building and occupancy of tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof and repealing an act entitled 'An act to regulate the building and occupancy of

tenement houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof' approved April 16, 1909, statutes of California of 1909, page 948," approved April 10, 1911, statutes of California, 1911, page 860, and approved June 13, 1913, statutes of California, 1913, page 737, and approved May 29, 1915, statutes of California, page 952, and all acts amendatory thereof are hereby repealed.

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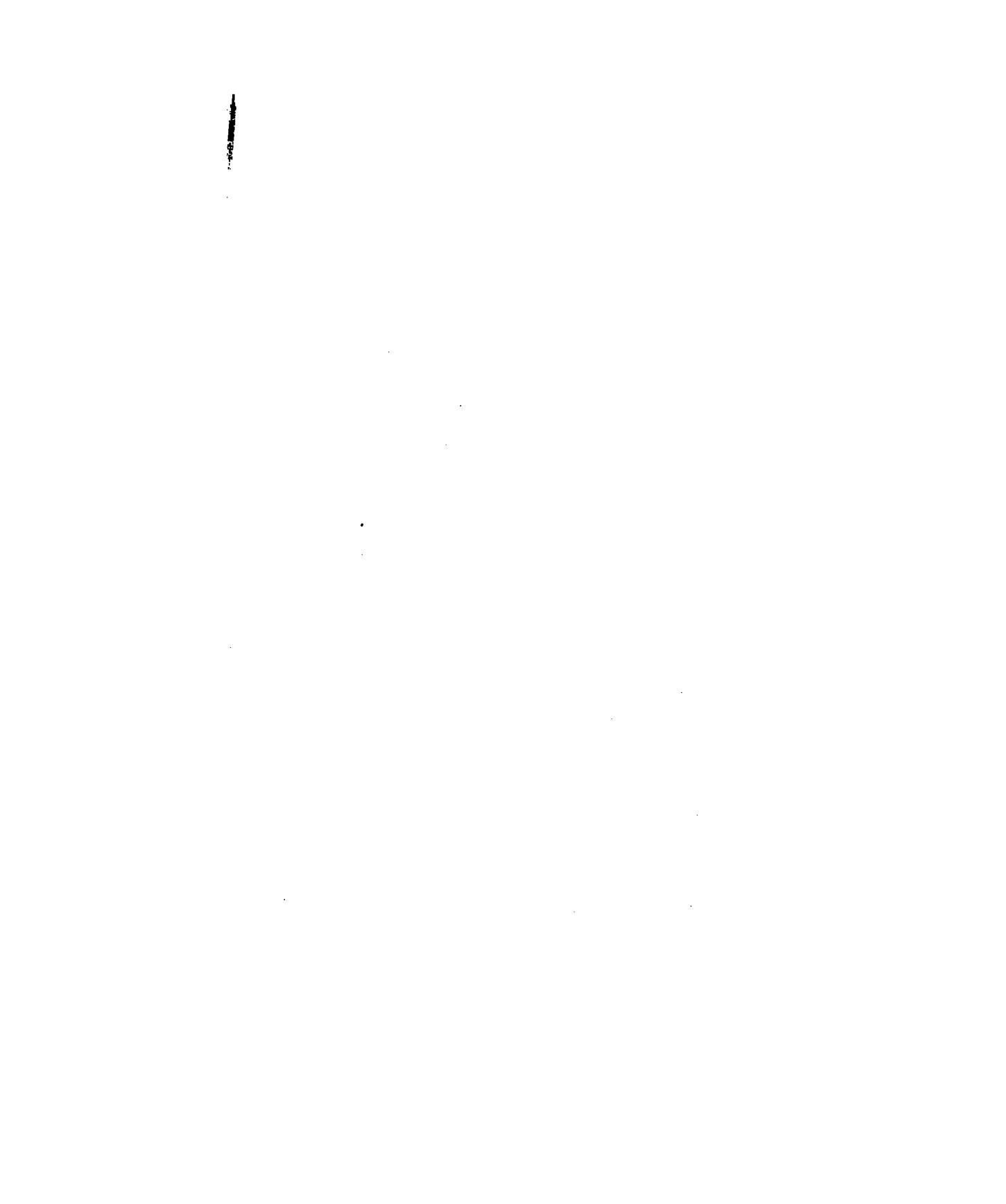
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CHAPTER 736.

An act to regulate the erection, construction, reconstruction, moving, alteration, maintenance, use and occupancy of hotels, and the maintenance, use and occupancy of the premises and land on which hotels are erected or located, in all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties, and to provide penalties for the violation thereof; and repealing an act entitled "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, statutes of California of 1913, page 1429.

[Approved May 31, 1917. In effect September 1st, 1917.]

Statutes of California of 1917, page 1422.

The people of the State of California do enact as follows:

Title of act. Jurisdiction.

SECTION 1. This act shall be known as the "state hotel and lodging house act," and its provisions shall apply to all parts of the State of California, including incorporated towns, incorporated cities, and incorporated cities and counties.

Act by whom enforced. Certificate of final completion. Permit of occupancy.

SEC. 2. It shall be the duty of the "building department" of every incorporated town, incorporated city, and incorporated city and county, to enforce all the provisions of this act pertaining to the erection, construction, reconstruction, moving, conversion, alteration and arrangement of hotels and to issue the certificate of "final completion" hereinafter provided. It shall be the duty of the "housing department" and if there is no housing department the health department of every incorporated town, incorporated city, and incorporated city and county to enforce all of the provisions of this act pertaining to the maintenance, sanitation, ventilation, use and occupancy of hotels after said hotels have been erected, constructed or altered, as the case may be, and the certificate of "final completion" has been issued by the building department and to issue the "permit of occupancy" as hereinafter provided.

In the event that there is no building department or housing department or health department in an incorporated town, incorporated city or incorporated city and county it shall be the duty of the officer or officers who are charged with the enforcement of ordinances and laws regulating the erection, construction or alteration of buildings, or the maintenance, sanitation, ventilation or occupancy of buildings, or of the police, fire or health regulations in said incorporated town, incorporated city or incorporated city and county to enforce all of the provisions of this act.

In every county it shall be the duty of the officer or officers who are charged with the enforcement of ordinances or laws regulating the erection, construction or alteration of buildings or of the maintenance, sanitation, occupancy and ventilation of buildings, or of the police, fire or health regulations in said county, to enforce all of the provisions of this act outside of the limits of any incorporated town or incorporated city.

Every incorporated town, incorporated city, or incorporated city and county in the State of California shall have authority and it is hereby empowered and given authority, to designate and charge by ordinance any other department or officer than the department or officers mentioned herein, with the enforcement of this act, or any portion thereof.

The commission of immigration and housing of California shall have, and it is hereby empowered and given authority to enforce the provisions of this act, which do not pertain to the actual erection, construction, reconstruction, moving, conversion, alteration and arrangement of hotels in all parts of the State of California, including all incorporated towns, incorporated cities, incorporated cities and counties, in the State of California, whenever said commission finds or discovers a violation or violations of the provisions of this act and notifies the local department or officer, or departments or officers who are charged with the enforcement of the provisions of this act, in writing, of such violation or violations, and the said local department or officer, or departments or officers, fail, neglect or refuse to enforce the provisions of the said act within thirty days thereafter; *provided, however,* that the said commission of immigration and housing of California shall enforce the provisions of this act only in the instances specified in said written notice.

Certain acts forbidden. Nuisance.

SEC. 3. It shall be unlawful for any person, firm or corporation, whether as owner, agent, contractor, builder, architect, engineer, superintendent, foreman, plumber, tenant, lessee, lessor, occupant, or in any other capacity whatsoever, to erect, construct, reconstruct, alter, build upon, move, convert, use, occupy or maintain, or to cause, permit or suffer to

be erected, constructed, reconstructed, altered, built upon, moved, converted, used, occupied or maintained any hotel or any portion thereof contrary to the provisions of this act, or to commit or maintain or cause or permit to be committed or maintained any nuisance in or upon any hotel or any portion thereof, or any of the premises, yards or courts which are a part thereof, or which are required by the provisions of this act; or to do or cause to be done, or to use or cause to be used, any privy, sewer, cesspool, plumbing or house drainage affecting the sanitary condition of any hotel or any portion thereof, or of the premises thereof, contrary to any of the provisions of this act.

Work in violation of act forbidden.

SEC. 4. It shall be unlawful for any person to make any alterations or changes or reconstruction work of any kind whatsoever, to any hotel erected prior to the passage of this act, or to any hotel hereafter erected, or to increase the height, in any manner which would be inconsistent with any of the provisions of this act, or in violation of the said provisions of this act; or in any manner to diminish the size of the yards, courts or shafts or the size of windows or skylights, or to remove any stairway or fire escape, or to obstruct the egress from such building or from the hallways or stairways, or to do anything that would affect the ventilation and sanitation of the building, contrary to any of the provisions of this act.

Converted or moved house to conform. House damaged more than 51 per cent.

SEC. 5. A building not erected for, or which is not used as a hotel at the time of the passage of this act, if hereafter converted to or altered for such use, shall thereupon become subject to all of the provisions of this act affecting hotels hereafter erected.

A building used as a hotel at the time of the passage of this act, if moved, shall be made to conform to all of the provisions of this act affecting hotels hereafter erected, in so far as they pertain to the percentage of lot occupied and the size of outer courts, inner courts bounded by a lot line, and yards.

It shall be unlawful to reconstruct any hotel which is hereafter damaged by fire or the elements to an extent in excess of fifty-one per cent of its physical proportions, unless the said building is made to conform to all of the provisions of this act affecting hotels hereafter erected.

Violation of act a misdemeanor. Procedure.

SEC. 6. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding five hundred dollars, or by

In the event that there is no building department or no housing department or health department in an incorporated town, incorporated city or incorporated city and county, it shall be the duty of the officer or officers who are charged with the enforcement of ordinances and laws regulating the erection, construction or alteration of buildings, or the maintenance, sanitation, ventilation or occupancy of buildings, or of the police, fire or health regulations in said incorporated town, incorporated city or incorporated city and county to enforce all of the provisions of this act.

In every county it shall be the duty of the officer or officers who are charged with the enforcement of ordinances or laws regulating the erection, construction or alteration of buildings, or of the maintenance, sanitation, occupancy and ventilation of buildings, or of the police, fire or health regulations in said county, to enforce all of the provisions of this act outside of the limits of any incorporated town or incorporated city.

Every incorporated town, incorporated city, or incorporated city and county in the State of California shall have authority, and it is hereby empowered and given authority, to designate and charge by ordinance any other department or officer than the department or officers mentioned herein, with the enforcement of this act, or any portion thereof.

The commission of immigration and housing of California shall have, and it is hereby empowered and given authority to enforce the provisions of this act, which do not pertain to the actual erection, construction, reconstruction, moving, conversion, alteration and arrangement of hotels in all parts of the State of California, including all incorporated towns, incorporated cities, incorporated cities and counties, in the State of California, whenever said commission finds or discovers a violation or violations of the provisions of this act and notifies the local department or officer, or departments or officers who are charged with the enforcement of the provisions of this act, in writing, of such violation or violations, and the said local department or officer, or departments or officers, fail, neglect or refuse to enforce the provisions of the said act within thirty days thereafter; *provided, however,* that the said commission of immigration and housing of California shall enforce the provisions of this act only in the instances specified in said written notice.

Certain acts forbidden. Nuisance.

SEC. 3. It shall be unlawful for any person, firm or corporation, whether as owner, agent, contractor, builder, architect, engineer, superintendent, foreman, plumber, tenant, lessee, lessor, occupant, or in any other capacity whatsoever, *to erect, construct, reconstruct, alter, build upon, move, convert, use, occupy or maintain, or to cause, permit or suffer to*

be erected, constructed, reconstructed, altered, built upon, moved, converted, used, occupied or maintained any hotel or any portion thereof contrary to the provisions of this act, or to commit or maintain or cause or permit to be committed or maintained any nuisance in or upon any hotel or any portion thereof, or any of the premises, yards or courts which are a part thereof, or which are required by the provisions of this act; or to do or cause to be done, or to use or cause to be used, any privy, sewer, cesspool, plumbing or house drainage affecting the sanitary condition of any hotel or any portion thereof, or of the premises thereof, contrary to any of the provisions of this act.

Work in violation of act forbidden.

SEC. 4. It shall be unlawful for any person to make any alterations or changes or reconstruction work of any kind whatsoever, to any hotel erected prior to the passage of this act, or to any hotel hereafter erected, or to increase the height, in any manner which would be inconsistent with any of the provisions of this act, or in violation of the said provisions of this act; or in any manner to diminish the size of the yards, courts or shafts or the size of windows or skylights, or to remove any stairway or fire escape, or to obstruct the egress from such building or from the hallways or stairways, or to do anything that would affect the ventilation and sanitation of the building, contrary to any of the provisions of this act.

Converted or moved house to conform. House damaged more than 51 per cent.

SEC. 5. A building not erected for, or which is not used as a hotel at the time of the passage of this act, if hereafter converted to or altered for such use, shall thereupon become subject to all of the provisions of this act affecting hotels hereafter erected.

A building used as a hotel at the time of the passage of this act, if moved, shall be made to conform to all of the provisions of this act affecting hotels hereafter erected, in so far as they pertain to the percentage of lot occupied and the size of outer courts, inner courts bounded by a lot line, and yards.

It shall be unlawful to reconstruct any hotel which is hereafter damaged by fire or the elements to an extent in excess of fifty-one per cent of its physical proportions, unless the said building is made to conform to all of the provisions of this act affecting hotels hereafter erected.

Violation of act a misdemeanor. Procedure.

SEC. 6. Any person, firm or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine not exceeding five hundred dollars, or by

imprisonment in a county jail not exceeding six months, or by both such fine and imprisonment, and in addition to the penalty therefor, shall be liable for all costs, expense and disbursements paid or incurred by the department, by any of the officers thereof, or by any agent, employee or contractor of same, in the prosecution of such violation. The costs, expense and disbursements by this section provided shall be fixed by the court having jurisdiction of the matter.

Except as herein otherwise specified, the procedure for the prevention of violations of this act, for the vacation of hotels or premises unlawfully occupied, or for the abatement of a nuisance in connection with a hotel, or the premises thereof, shall be as set forth in the charter and ordinances of the municipality in which the procedure is instituted.

Permit to erect, convert, alter, add to or move house, how obtained.
~~Sworn application in writing. Specifications and plans and plans of lot filed. Approved copy plans and specifications on premises.~~
~~Nominal alterations. Permit may be revoked, when. Permit expires in ninety days, when.~~

SEC. 7. In every incorporated town, incorporated city, and incorporated city and county, it shall be unlawful to commence or to proceed with the erection, construction, reconstruction, conversion or alteration of a hotel, or to move or to build upon a hotel, or to convert a building or any portion thereof into use as a hotel without first obtaining a permit in writing so to do from the department charged with the enforcement of this act. Any person, firm or corporation desiring such a permit shall file an application therefor with the department charged with the enforcement of this act. Said application shall give a detailed statement in writing, verified under oath by the person making the same, of the erection, construction, reconstruction, moving, conversion, or alteration, as the case may be, upon blanks or forms to be furnished by the said department. The said application must be accompanied with a full, true and complete set of the plans of the hotel, or alteration, or work proposed, as the case may be, together with a set of specifications describing the materials proposed to enter into the construction of the proposed work, also a plan of the lot on which such building is proposed to be erected, constructed, reconstructed, converted, altered or moved, as the case may be. Such statement shall give in full the name and address by street and number of the owner or owners, also the name and address of the architect and of the contractor, if there be such an architect or contractor; also shall give such other data and information as in the judgment of the department charged with the enforcement of this act is deemed necessary.

The affidavit to said application shall allege that the plans and specifications are true and contain a correct description

of the proposed hotel, lot and proposed work. If any person other than the owner makes such affidavit, such person shall not be recognized except that he allege in his affidavit that he is authorized and empowered by the said owner to act for him and to sign the required affidavit. Said department charged with the enforcement of this act shall cause all such plans, specifications and statements to be examined, and if it appears that they conform to the provisions of this act, shall then issue a permit to the person submitting the same. Said department may, from time to time, approve changes in any plans, specifications or statements previously approved by it; *provided*, that all changes when so made shall be in conformity with the provisions of this act. Said department shall have the power to revoke or cancel any permit or approval that it has previously issued in case of any refusal, failure or neglect of the person to whom such permit or approval has been issued to comply with any of the provisions of this act, or in case any false statement or misrepresentation is made in any of the said plans, specifications or statements submitted or filed for such permit or approval. The erection, construction, reconstruction, moving, alteration or conversion of any such hotel, as the case may be, shall be made in accordance with the plans, specifications and statements submitted or filed, and for which the permit is issued.

A true copy of the plans, specifications and other information submitted or filed, upon which a permit is issued, with the approval of the department with which they are filed, stamped or written thereon, shall be kept upon the premises of the hotel or work for which the said permit is issued, from the commencement of the said building or work to the final completion of same, and shall be subject to inspection at all times by proper authorities.

The department charged with the enforcement of this act may, at its discretion, issue a permit in case of nominal alterations or repairs, when application is made therefor, in writing, by the owner or his agent, when the making of said nominal alterations and repairs do not affect any structural feature or the sanitation or the ventilation of the hotel, without requiring the filing of plans or specifications.

The issuance or granting of a permit or approval by the department charged with the enforcement of this act under the authority of this section shall not be deemed or construed to be a permit or an approval of the violation of any of the provisions of this act.

Every permit or approval which is issued by the department charged with the enforcement of this act, but under which no work has been done within ninety days from the date of issuance, or where work has been suspended for a period of ninety days, shall expire by limitation and a new permit shall be obtained before the work may be done.

Certificate of final completion, how obtained. Permit of occupancy, how obtained and when renewed.

SEC. 8. In every incorporated town, incorporated city, and incorporated city and county, it shall be unlawful to occupy or to permit to be occupied, any hotel hereafter erected, constructed, reconstructed, altered, converted or moved, as the case may be, or any portion thereof, for human habitation until the issuance of a "certificate of final completion" and a "permit of occupancy" by the department or departments charged with the enforcement of this act.

It shall also be unlawful to occupy any existing hotel until a permit of occupancy has been issued by the department designated to issue such permit.

Every permit of occupancy shall be renewed each calendar year by the department designated to issue the said permit; *provided*, that no structural alteration, or changes have occurred since the issuance of the certificate of final completion; *and provided*, that all other provisions of this act have been complied with.

Any person desiring a certificate shall file a notice with the department charged with the enforcement of this act. Said department shall cause an inspection to be made of the said hotel or portion thereof, or work described in the said notice, within ten days after written application therefor, and shall issue a "certificate of final completion" if it is found that all the provisions of this act, regulating the erection, construction, alteration or moving, as the case may be, have been complied with.

The department charged with the enforcement of this act and designated to issue the permit of occupancy, shall issue the said "permit of occupancy" upon application, in writing, therefor by the owner or his agent, and upon the filing by the owner or his agent of such statements or records required by the department, after the "certificate of final completion" has been issued; *provided*, that no violations have occurred since the issuance of the certificate of final completion, or, in the case of a hotel erected prior to the passage of this act, and for which no certificate of final completion has been issued, then after the said department has caused an inspection to have been made of the said hotel and has found that all of the provisions of this act applying to such hotel have been complied with.

All permits and certificates shall be made in duplicate and a copy shall remain on file in the department issuing them.

Any hotel hereafter erected, altered, converted or moved, which is occupied, or any portion thereof which is occupied for human habitation, prior to a "certificate of final completion" or a "permit of occupancy" being issued, shall be deemed a nuisance and the department or departments

charged with the enforcement of this act may cause it to be vacated, until the said certificate of completion and permit of occupancy have been obtained in accordance with the provisions of this act.

Who may enter house and when.

SEC. 9. The department or departments charged with the enforcement of this act in any incorporated town, incorporated city, and incorporated city and county, or county, and the authorized officers, agents or employees of such department or departments, may, whenever necessary, enter hotels or portions thereof, or the premises thereof, within the corporate limits of such towns, cities, cities and counties, or counties, for the purpose of inspecting such buildings, in order to secure compliance with the provisions of this act and to prevent violations thereof.

The members of the commission of immigration and housing of California and the agents, officers or employees of said commission may, whenever necessary, enter hotels or portions thereof, or the premises thereof, for the purpose of inspecting such buildings in order to secure compliance with the provisions of this act and to prevent violations thereof.

The owner or his authorized agent may, whenever necessary, enter hotels or portions thereof, or the premises thereof, owned by him, to carry out any instructions or to perform any work required to be done by the provisions of this act.

Definitions. Lodging house is a hotel. When hotel is mentioned it includes lodging house.

SEC. 10. For the purpose of this act, certain words and phrases are defined as follows, unless it shall be apparent from their context that they have a different meaning:

Words used in the singular include the plural, and the plural, the singular.

Words used in the present tense include the future.

Words used in the masculine gender include the feminine, and the feminine, the masculine.

Words "building department," "health department," "housing department," "department charged with the enforcement of this act," "fire commissioner," shall be construed as if followed by the words, "of the incorporated town, incorporated city, incorporated city and county, or county," as the case may be, in which the hotel is situated.

"Approved" defined as applied to building material, appurtenances, appliances and construction.

"Approved" means whatever material, appliance, appurtenance, or other matter meets the requirements and approval of the department charged with the enforcement of this act, or which is approved by local ordinance of the municipality.

in which the building is situated, or any appliance, appurtenance, or other matter which conforms to the requirements of, and bears the approval of the "national board of fire underwriters"; *provided, however*, that no such material, appliance, appurtenance or other matter shall be deemed "approved" for use where, or in such a manner as would be inconsistent with the intent, or specific provisions of this act.

Basement defined. A basement is a story.

"Basement" is any story or portion thereof partly below the level of the curb or the actual adjoining ground level, the ceiling of which in no part is less than seven feet above the curb level or actual adjoining ground levels. If the adjoining ground is excavated to or below the curb level, or to or below the adjoining natural ground level, such excavated space shall have not less than the minimum width and length required in this act for outer courts. Every basement is a story.

"Building" is a hotel.

"Building department" means the commissioner of buildings, superintendent of buildings, chief inspector of buildings, or any officer or department charged with the enforcement of ordinances and laws regulating the construction and alteration of buildings or structures.

"Cellar" is any story or portion thereof, the ceiling of which in any part is less than seven feet above the curb level and actual adjoining ground levels.

Courts are outer and inner. See sections 19 and 20. Street-to-yard court is now a side yard. How far cornice may project into court.

"Court" is an open, unoccupied space other than a yard on the lot on which is situated a hotel. A court, one entire side or end of which is bounded by a front yard, a rear yard or a side yard, or by the front of lot, or by a street or a public alley, is an "outer court." Every court which is not an "outer court" is an "inner court."

Every court shall be open and unobstructed to the sky from a point not more than two feet above the floor line of the lowest story in the building in which there are windows from rooms abutting the said court, except that a cornice on the building may extend into an "outer court" two inches for each one foot in width of such court, and a cornice may extend into an "inner court" one inch for each one foot in width of such court.

"Curb level" is the curb level opposite the center of the "front of lot."

Wherever the word "department" is used it means the building department, the housing department, the health

department or such other department or officer, or departments or officers, who are charged with the enforcement of the provisions of this act.

Dormitory. Every 100 square feet floor space is a guest room.

"Dormitory" is a room in which more than two persons are "guests" and are not living together, and shall, for the purpose of computing the number of rooms, be deemed a separate guest room for each one hundred square feet of superficial floor area therein.

Fireproof hotel or lodging house to be constructed of "approved" material. See definition of "approved."

"Fireproof hotel" is a building wherein all the exterior and interior loads or strains are transmitted to the foundation by means of concrete, reinforced concrete, brick, stone or by means of a skeleton framework of steel or iron; the exterior walls, inner court walls and roof constructed of concrete, reinforced concrete, brick, stone or hollow terra cotta tile; where all the structural steel or iron is thoroughly fire-proofed by concrete, cement plaster, tile, brick or sandstone, not less than two inches thick; where all the interior partitions are constructed of either hollow terra cotta tile blocks, gypsum blocks, brick, concrete, reinforced concrete, or of metal studs lathed with metal lath and plastered not less than three-quarters inch thick including the lath, or of metal studs lathed with approved plaster board and plastered not less than three-quarters inch thick including the plaster board, or constructed of wire glass not less than one-fourth inch thick, set in metal frames and sash, and all other materials used in the said building are of approved incombustible material except that the glass in windows, transoms, or doors may be of plain glass, and except that doors, frames, sash and the usual trim of rooms, hallways, corridors, and passageways may be of wood, and except that wood floors may be placed on top of the floors constructed of incombustible materials, except in the public hallways.

"Guest" is any person hiring and occupying a room for sleeping purposes, and shall include both boarders and lodgers.

"Guest room" is a room which is occupied, or is intended, arranged or designed to be occupied for sleeping purposes by one or more guests, but shall not be deemed to include dormitories used for sleeping purposes.

Hotel. Lodging house is a hotel.

"Hotel" is any house or building, or portion thereof, containing six or more guest rooms which are let or hired out to be occupied, or which are occupied by six or more guests, whether the compensation for hire be paid directly or indirectly in money, goods, wares, merchandise, labor or otherwise.

wise, and shall include Turkish baths, bachelor hotels, studio hotels, public and private clubs and any building of any nature whatsoever so designed or occupied, except hospitals where persons temporarily reside and where each such person receives regular bona fide medical attendance on the premises, and jails, detention buildings and similar buildings where human beings are housed and detained under restraint.

When department of public health to be housing department.

“Housing department” is any department or commission charged with the enforcement of ordinances or laws regulating the occupancy and maintenance of hotel, lodging house or dwelling house buildings; and where no such department is maintained, shall be deemed to be the health commissioner, the department of health, health officer, or similar department charged with the enforcement of laws and ordinances relating to the protection of the public health.

What constitutes a “lot.” Part of corner lot more than 75 feet from corner. Either street frontage may be front of corner lot.

“Lot” is a parcel or area of land on which is situated a hotel, together with the land, yards, courts and unoccupied spaces for such a hotel as required by this act; all of which land shall be owned by or be under the absolute lawful control and in the lawful possession of the hotel.

A lot situated at the junction of two or more intersecting streets, with a boundary line thereof bordering on each of the two streets, is a “corner lot.” All parts of the width of such corner lot which are distant more than seventy-five feet from the junction point of the two or more intersecting streets, shall be deemed to be an “interior lot.” The owner or his authorized agent may designate either street frontage as being the front of such corner lot for the purpose of determining the width thereof.

A lot which has only one boundary line bordering on a public street is an “interior lot.”

“Rear lot” is a parcel or area of land having no boundary line bordering on a street, or having less than one-half of its width as a boundary line bordering on a street.

“Front of lot” is the boundary line of lot bordering on the street. In case of a corner lot, either of the boundary lines may be the “front of lot.”

“Rear of lot” is the boundary line thereof opposite the “front of lot.”

“Depth of lot” is the mean distance from the “front of lot” to the “rear of lot.”

Nuisance defined and what it embraces.

“Nuisance” embraces public nuisance as known at common or in equity jurisprudence, and whatever is dangerous to an life or detrimental to health; and shall also embrace

the overcrowding with occupants of any room, insufficient ventilation, or illumination, or inadequate or insanitary sewerage or plumbing facilities, or uncleanliness, and whatever renders air, food or drink unwholesome or detrimental to the health of human beings.

"Person" is a natural person, his heirs, executors, administrators or assigns; also includes a firm, partnership, or corporation, its or their successors or assigns.

"Public hallway" is a hallway, corridor, passageway or vestibule not within a suite, and includes stairways, landings and platforms.

"Rear hotel" is a hotel on a "rear lot."

Semifireproof building to be constructed of "approved" materials.
See definition of "approved."

"Semifireproof hotel" is a building with all exterior walls and walls of inner and outer courts constructed of brick, stone, concrete, reinforced concrete or hollow terra cotta tile, except that the walls of an inner court, which court is surrounded on four sides by the same building, may be constructed as provided in this act for such inner courts; interior partitions and floors constructed of approved incombustible materials or of wood, with all ceilings, partitions, soffits of stairways, and outside stringers of open stairways and stair wells metal lathed and plastered not less than three-quarters inch thick including the lath, or lathed with approved plaster board, plastered not less than three-quarters inch thick including the plaster board; in which all finished floors, frames, doors and the usual trim of rooms and hallways may be built of wood, and the roof of which shall be covered with at least a composition fire-retardant material.

"Shall." Whenever this word is used it shall be mandatory.

Street to be 16 feet or more in width.

"Street" is any public street, alley, thoroughfare or park having a minimum width of sixteen feet, measured from the "front of lot" to the opposite "front of lot" and which shall have been dedicated or deeded to the public for public use.

"Turkish bath" is a dormitory or a combination of guest rooms, accommodating six (6) or more guests, in connection with which any form of bath or massage is given by the attendants to the guests.

Wooden hotel to have public hallways, stairways and stairwells metal lathed or plaster boarded.

"Wooden hotel" is a building which does not fully comply with the requirements for a fireproof or a semifireproof hotel as defined in this act, and shall include all frame and all veneered buildings. In every such building all ceilings and walls and partitions of public hallways, soffits of interior

stairways and the outside stringers of open stairways and stair wells shall be metal lathed and plastered not less than three-quarters inch thick including the lath, or lathed with an approved plaster board and be plastered not less than three-quarters inch thick including the plaster board.

Yards are front, rear or side.

“Yard” is an open unoccupied space other than a court on the lot on which is situated a hotel, open and unobstructed to the sky from a point not more than two feet above the floor line of the lowest story in the building in which there are windows from rooms abutting the said yard; except that outside stairways, platforms and balconies constructed of open metal work and fire escapes may extend not more than four feet into a yard, providing they do not in any manner obstruct the light or ventilation of rooms. If such yard is between the front line of the building and the front boundary line of the lot, it is a “front yard.” If it is between the extreme rear line of the building and the rear of the lot, it is a “rear yard.” If it extends from the rear yard to the front yard, or front of lot, it is a “side yard.”

Rear hotel or lodging house forbidden, when. When building in front forbidden.

SEC. 11. No hotel shall hereafter be erected on or moved onto a rear lot. No building for any purpose shall hereafter be erected in front of any hotel unless there shall be left unoccupied a front yard extending from the front of the rear hotel to the front line of lot bordering on the street.

Such front yard shall not be in any part less in width than fifty (50) per cent of the actual width of the rear hotel.

Height limit of fireproof, semifireproof and wooden hotels. Limit by stories and feet. Basement is a story.

SEC. 12. No fireproof hotel hereafter erected shall exceed one hundred fifty feet in height, nor more than one and one-half times the width of the widest street to which the lot on which it is situated abuts.

No semifireproof hotel building hereafter erected shall exceed six stories at any point, nor more than sixty-five feet in height (except as hereinafter provided), nor more than one and one-half times the width of the widest street to which the lot on which it is situated abuts.

No wooden hotel hereafter erected shall exceed three stories at any point, nor more than thirty-six feet in height (except as hereinafter provided), nor more than one and one-half times the width of the widest street to which the lot on which it is situated abuts.

*The width of the street, for this purpose, shall be measured
at the extreme front of the building to the “front of lot”
across the street.*

For the purposes of this section, a basement is a story.

The height of a fireproof hotel is the perpendicular distance from the curb level or adjoining ground levels to the highest point of the roof. The height of a semifireproof or of a wooden hotel is the perpendicular distance from the curb level or adjoining ground levels to the lowest point of the finished ceiling of the top story; *provided*, that in the case of a semifireproof hotel situated on a lot with the ground sloping downward from the facade at which the measurement is taken the height of the building shall not at any point exceed sixty-five feet above the curb level measured on the facade facing the street, nor shall the height of the building at any point of the grade exceed seventy-five feet above the adjoining curb in case of a corner lot, or above the level of the ground in the case of an interior lot, and in the case of a wooden hotel situated on a lot with the ground sloping downward from the facade at which the measurement is taken the height of the building shall not at any point exceed thirty-six feet above the curb line measured on the facade facing the street, nor shall the height of the building at any point of the grade exceed forty-six feet above the adjoining curb in the case of a corner lot or above the level of the ground in the case of an interior lot.

**Yard or court not to serve two hotels or lodging houses, unless.
Distance between front and rear buildings.**

SEC. 13. In no event shall any yard or court be made to serve the purpose of two hotels hereafter erected, or of an existing hotel and a hotel hereafter erected, unless such yard or court, as the case may be, is of the full size required for two hotels, and then only in the event that such yard or court, as the case may be, is located on the same lot and owned by or in the absolute lawful control and in the lawful possession of the hotel it proposes to serve.

Where a hotel, now or hereafter erected, stands upon a lot, no other building shall hereafter be placed upon the front or rear of that lot, unless the minimum distance between such buildings shall be at least ten feet and two additional feet shall be added to such minimum distance of ten feet for every story more than one in height of the highest building on such lot.

Yard. Depth of, how measured.

SEC. 14. The depth of a rear yard shall be measured at right angles from the extreme rear line of the building towards the rear lot line.

Yard. Minimum size rear yard.

SEC. 15. The minimum size of every rear yard for a hotel hereafter erected shall be not less in width and in area than

an inner court, except that if such rear yard is bounded on its entire one end or side by an outer court, or by a side yard or by a street, or by a public alley or park, then such rear yard shall be not less in width or exceed the maximum length of an outer court; *provided, however,* that if the lot extends through from one street to another street or public alley, one-half of the narrowest street or public alley, to which said lot abuts may be considered as a part of the lot in computing the rear yard required.

Yard-to-street passageway.

SEC. 16. Every rear yard not bordering on a street or public alley and without direct access thereto shall have access to a street or public alley by means of an unobstructed passageway not less than three feet six inches in clear width, nor less than seven feet in clear height; and if such passageway or any portion thereof passes through a building, such portion thereof shall be built of approved incombustible materials, or shall be lathed with metal lath or approved plaster board and be plastered not less than three-quarters inch thick including the lath or plaster board, or shall be lined with not less than number twenty-six (gauge) galvanized iron, and shall be drained and lighted.

Yard. Front yard excavated.

SEC. 17. Every front yard which is excavated below the level of the curb or below the adjoining ground level for the purpose of furnishing light and ventilation to a basement shall in no part be less in width and length than required for outer courts.

Yard. Minimum size of side yard.

SEC. 18. The width of every side yard shall be not less than the width required for an outer court, except that the provisions of this act regarding the maximum lengths of an outer court shall not apply to a side yard; *provided,* that if there is a side yard on both sides of the building connected one with the other across the rear of the building by the rear yard, then the width of the side yards may be reduced twelve inches.

Outer court. Outer court on lot line.

SEC. 19. The minimum size of every outer court for a hotel hereafter erected shall be as follows.

| Height of building based on the full number of stories in the building measured upward from and including the lowest story in which there is a guest room or guest rooms, or a dormitory or dormitories | Minimum width of court | Maximum length of court |
|---|------------------------|-------------------------|
| 1 story ----- | 4 ft. 0 in. | 16 ft. 0 in. |
| 2 stories ----- | 4 ft. 0 in. | 16 ft. 0 in. |
| 3 stories ----- | 4 ft. 6 in. | 25 ft. 0 in. |
| 4 stories ----- | 5 ft. 6 in. | 30 ft. 0 in. |
| 5 stories ----- | 6 ft. 0 in. | 35 ft. 0 in. |
| 6 stories ----- | 8 ft. 0 in. | 35 ft. 0 in. |
| 7 stories ----- | 10 ft. 0 in. | 40 ft. 0 in. |
| 8 stories ----- | 12 ft. 0 in. | 40 ft. 0 in. |
| 9 stories ----- | 13 ft. 0 in. | 40 ft. 0 in. |
| 10 or more stories----- | 14 ft. 0 in. | 40 ft. 0 in. |

There shall be added to the minimum width of each such outer court six inches for each five feet or fractional part thereof in excess of the maximum length; *provided, however,* that the maximum lengths herein provided shall not apply when the outer court is bounded on one side for its entire length by a lot line; *provided, further,* that if an outer court is bounded by a public alley or public park, the width of such public alley or public park may be considered a part of the lot in determining the required width of the outer court.

Inner court. Inner court on lot line. Inner court and vent shaft to have door or window at bottom.

SEC. 20. The minimum size of every inner court for a hotel hereafter erected shall be as follows:

| Height of building based on the full number of stories in the building measured upward from and including the lowest story in which there is a guest room, or guest rooms, or a dormitory or dormitories | Minimum width of court | Minimum area of court in square feet |
|--|------------------------|--------------------------------------|
| 1 story ----- | 6 ft. 0 in. | 75 square feet |
| 2 stories ----- | 6 ft. 0 in. | 75 square feet |
| 3 stories ----- | 7 ft. 0 in. | 120 square feet |
| 4 stories ----- | 8 ft. 0 in. | 160 square feet |
| 5 stories ----- | 12 ft. 0 in. | 250 square feet |
| 6 stories ----- | 16 ft. 0 in. | 400 square feet |
| 7 stories ----- | 20 ft. 0 in. | 625 square feet |
| 8 stories and more----- | 24 ft. 0 in. | 840 square feet |

provided, however, that the minimum size of every inner court which is bounded on one side for its entire length by a lot line may be as follows:

| Height of building based on the full number of stories in the building measured upward from and including the lowest story in which there is a guest room, or guest rooms, or a dormitory or dormitories | Minimum width of court | Minimum area of court |
|--|------------------------|-----------------------|
| 1 story ----- | 5 ft. 0 in. | 75 square feet |
| 2 stories ----- | 5 ft. 0 in. | 75 square feet |
| 3 stories ----- | 6 ft. 0 in. | 120 square feet |
| 4 stories ----- | 7 ft. 0 in. | 160 square feet |
| 5 stories ----- | 9 ft. 0 in. | 250 square feet |
| 6 stories ----- | 16 ft. 0 in. | 400 square feet |
| 7 stories ----- | 20 ft. 0 in. | 625 square feet |
| 8 stories and more----- | 24 ft. 0 in. | 840 square feet |

Every inner court hereafter constructed and every inner court or vent shaft now in any hotel or lodging house shall be provided with a door or window at or near the bottom thereof, giving sufficient access to such court or vent shaft as to enable it to be properly cleaned out.

Recess from court, yard or street.

SEC. 21. Every recess from a court, yard or street in a hotel hereafter erected shall unless it conforms to the requirements of this act for an inner court, or an outer court, be not less in width than its depth. Every such recess shall be open and unobstructed from a point not more than two feet above the floor line of the lowest story in the building in which there are rooms the said recess proposes to serve.

Inner court, when to have intake. Construction.

SEC. 22. Every inner court in a hotel of two or more stories in height hereafter erected shall be provided with one or more horizontal intakes at the bottom of the court, as follows:

| Inner court areas | Minimum number of intakes | Net aggregate area of intakes |
|---|---------------------------|-------------------------------|
| Each not exceeding 300 square feet----- | One | 19½ square feet |
| Each not exceeding 800 square feet----- | Two | 40 square feet |
| Each exceeding 800 square feet----- | Two | 60 square feet |

Every such intake shall always extend directly to the front of lot or front yard, or rear yard, or to a side yard, or to a street, or to a public alley or park. Whenever more than one *intake is required*, one such intake shall extend to the front of lot or front yard, and one to the rear yard, public alley, public

park, or to the other street, and the court ends of the air intakes shall be as far apart as possible.

Each such intake shall consist of an unobstructed duct or passageway having a minimum width of three feet in all its parts and a minimum height of six feet six inches.

Every such intake shall be constructed of approved incombustible materials, or shall be lined with at least number twenty-six (gauge) galvanized iron on the inside thereof. Such air intakes may be closed at each end with a gate or grill having not less than seventy-five per cent of open work.

In case the inner court does not extend below the second floor level, then each such air intake may consist of an unobstructed open duct, constructed of approved incombustible materials or lined with at least number twenty-six (gauge) galvanized iron on the inside thereof, having an interior area of not less than nineteen and one-half square feet, and in no dimension less than twelve inches, and covered at each end with a wire screen of not less than one inch mesh.

Every air intake shall be drained and so constructed and arranged as to be readily cleaned out.

Cellar. Occupation forbidden. Waterproof. Dampproof. When plastered.

SEC. 23. In no hotel shall any room in the cellar be constructed, altered, converted or occupied for sleeping purposes.

Every cellar shall be illuminated and ventilated. The walls and floor of every cellar hereafter constructed, which are below the ground level, shall be made waterproof and damp-proof, and whenever deemed necessary and so ordered by the department charged with the enforcement of this act, the walls and ceilings thereof shall be plastered.

Basement. When occupied. Construction.

SEC. 24. In no hotel shall any room in the basement be constructed, altered, converted or occupied for sleeping purposes, unless such room conforms to all of the requirements of this act for rooms in other parts of the building, and that ceiling of each such room be in all parts not less than seven feet above the adjoining ground level.

Every basement shall be illuminated and ventilated. The walls and floors of every basement hereafter constructed, which are below the ground level, shall be made waterproof and dampproof, and whenever deemed necessary and so ordered by the department charged with the enforcement of this act, the walls and ceilings thereof shall be plastered.

Floor. Construction of lowest. Foundation. Construction. Rat-proofing.

SEC. 25. In every hotel hereafter erected, the lowest floor thereof shall be at least eighteen inches above the surface soil adjoining and under the floor, and the entire spac

under such floor shall be kept dry, drained, clean and free from any accumulation of rubbish, debris or filth.

Such space under the floor shall be enclosed and provided with a sufficient number of openings with removable screens or similar provisions of a size to insure ample ventilation; *provided, however,* that in any such building the lowest floor thereof may be less than eighteen inches above the surface soil but in no case less than six inches (except where masonry floors are laid directly on the soil) if the said floor is made impervious to the ingress of rats or other vermin, as follows:

(a) Foundation walls shall be constructed of concrete or of brick or stone or other masonry laid in a good mortar or constructed of some other equally as rat proof material.

(b) The said foundation walls shall be not less than six inches in thickness at the top nor less than twelve inches in thickness at the bottom, nor extend less than twelve inches below the surface soil, and except where masonry floors are laid directly on the soil, shall extend not less than six inches above the surface soil.

(c) Every opening in the foundation walls, for ventilation or for other purposes, shall be made rat proof with suitable metal screens or with some other similar rat proof material. Door or window openings in such walls shall have tight-fitting doors or windows.

(d) The said lowest floor or differing levels thereof, forming a complete floor between the outside walls of the building, shall be constructed either of masonry, or covered with concrete not less than one and one-half inches thick, or constructed of two layers of flooring with a layer of galvanized iron or galvanized iron wire cloth or other approved equally as rat proof material placed between the two layers of flooring. Or in lieu of the floor being constructed as herein prescribed, the entire ground area under the floor shall be covered with concrete not less than two inches thick, except where the surface of the soil is composed of rock. The rat-proofing material shall always extend under the plates of the exterior walls and supporting partitions.

(e) All openings throughout the said floor for chimneys, plumbing, water pipes or for any other purpose shall be closed up tight in the same manner and with the same kind of materials as required under the plates of the exterior walls and supporting partitions, and if the rat-proofing material used for the closing of openings is other than masonry, it shall extend beyond and underlap the flooring all around the opening, not less than two inches.

**Rooms for guests. Water-closets. Reception and dining rooms.
Closets. Recesses. Dressing rooms. Area. Width. Height.**

c. 26. In every hotel hereafter erected, every guest shall contain not less than ninety square feet

of superficial floor area. Every such room shall at every point be not less than seven feet in width, nor less than nine feet in height, measured from the finished floor to the finished ceiling; except that attic rooms and rooms where sloping ceilings occur need be nine feet in height in but one-half the area of the room.

Every water-closet compartment shall be not less than thirty-six inches in clear width, and every such water-closet compartment, bath or slop-sink compartment, or closet or recess from a room, or dressing room shall have a height of not less than seven feet six inches, measured from the finished floor to the finished ceiling.

Every closet, recess from a room, or dressing room which contains more than twenty-five square feet of superficial floor area (built-in dressers, clothes presses and similar features which are a substantial part of the structure shall not be deemed to be part of the floor area of a closet, recess from a room, or dressing room), shall conform to all of the provisions of this act as to guest rooms, and shall contain not less than ninety square feet of superficial floor area.

No part of any room in any hotel shall hereafter be enclosed or subdivided wholly or in part, by a curtain, portiere, fixed or movable partition, or other contrivance or device, for any purpose, contrary to any of the provisions of this act.

Entertainment, amusement or reception rooms, or public dining rooms, hereafter constructed, altered or converted in any hotel shall conform to the provisions of section thirty of this act.

Dormitories hereafter constructed, altered or converted in any hotel shall conform to the provisions of section sixty-two of this act.

Windows. Rooms to have. Water-closet, bath, shower, toilet and slop-sink rooms to have. On what to open. Exhaust system when.

SEC. 27. In every hotel hereafter erected, every guest room, dormitory, kitchen, scullery, pantry or other room in which food is stored or prepared, public dining room, laundry, barber shop, Turkish baths, general amusement, entertainment or reception room, water-closet or shower compartment, bath, toilet or slop-sink room and general utility room shall have at least one window, of the area hereinafter required, opening directly upon a street, or upon a yard or court of the dimensions specified in this act and located on the same lot.

All windows required by this act shall be located so as to properly light all portions of the room and shall be made so as to open in all parts and be so arranged that at least one-half of the window may be opened unobstructed.

The windows required by this section in a water-closet or shower compartment, bath, toilet or slop-sink room may open

directly into a vent shaft in lieu of a street, yard or court. Such vent shaft to be not less than of the minimum size, and constructed of the materials and in the manner prescribed by section fifty-seven of this act, or such rooms or compartments, in lieu of being provided with windows may be ventilated by an exhaust system of ventilation installed, constructed and maintained as prescribed by section sixty-one hereof.

The windows required by this section to open onto a street, yard, or an outer court, except windows from kitchens, may open through porches, provided that said porches do not exceed seven feet in depth, measured at right angles to the windows and that at least seventy-five per cent of the entire side of the porch, bounded by the street, yard, or outer court, is left open except that the open space may be enclosed with mosquito screens.

Kitchens, sculleries, pantries or other rooms used for cooking, storing or preparing of food, public dining rooms, laundries, barber shops, Turkish baths, general amusement or reception rooms and general utility rooms, in lieu of windows may be ventilated by an exhaust system of ventilation installed, constructed and maintained as prescribed by section sixty-one hereof.

Windows. Area for certain rooms. Least area. Measurement.

SEC. 28. In every hotel hereafter erected, the total window area in each guest room, kitchen, scullery, pantry or other room in which food is stored or prepared, laundry, barber shop, Turkish bath, or general utility room, shall be at least one-eighth of the superficial floor area of the room.

The aggregate window area in each room shall be not less than twelve square feet and no single window shall be less than six square feet in area.

All measurements for window area shall be taken to the outside of the sash.

The window area required for dormitories, entertainment, amusement, reception or dining rooms shall be as hereinafter provided.

Window area of water-closet, bath, toilet, slop-sink, or shower room.

SEC. 29. In every hotel hereafter erected each window in a water-closet compartment, bath, toilet or slop-sink room, or shower room, shall be not less than three square feet in area. The aggregate area of windows for each such compartment or room shall be not less than six square feet. In each such compartment or room containing more than one water-closet, bath, urinal or slop-sink, the aggregate window area shall be equivalent to three square feet for each water-closet, bath,

urinal or slop-sink therein; except that at no time need the aggregate window area exceed one-fourth of the superficial floor area of such compartment or room.

Windows. Reception, amusement or dining room. Height of ceiling.

SEC. 30. In every hotel hereafter erected the total window area in each room used for the purpose of entertainment, amusement, reception or dining room, which room has a superficial floor area not exceeding one hundred eighty square feet, shall be at least one-eighth of the superficial floor area of such room.

Every such room which has a superficial floor area exceeding one hundred eighty square feet shall have an aggregate window area not less than that required for a room of one hundred eighty square feet of superficial floor area.

Every such entertainment, amusement, reception or dining room shall have a minimum height between the finished floor and the finished ceiling of not less than nine feet. No such room or part thereof shall be used for sleeping purposes, except that said room or part thereof complies with all of the other provisions of this act for guest rooms.

Windows, doors, skylight in public hallway. Area. Construction.

SEC. 31. In every hotel hereafter erected every public hallway, on any floor where there are more than five guest rooms, shall have at least one window, opening directly upon a street, or upon a yard or a court, of the dimensions specified in this act and located on the same lot; such windows shall be at the end of the public hallway and placed so as to secure the maximum light into the hallway; *provided, however,* that in hotels not exceeding two stories in height the public hallway may, in lieu of such windows, be lighted and ventilated by one or more skylights constructed in accordance with the provisions of this act.

Every window required by this act in a public hallway shall be not less than twenty-nine inches in clear width, nor less than fifty-eight inches in height, and the finished sill of same shall be not more than thirty inches above the adjoining finished floor.

Every window shall be made so as to open, and so arranged that at least one-half of the window may be opened unobstructed.

Every skylight provided for in this section shall have an effective horizontal area of glass of not less than fifteen square feet, and shall have ridge ventilators or fixed or movable louvres so as to provide a ventilating area of not less than five hundred square inches. Such skylights shall be so located that no portion of the hallway be distant more than twenty feet, measured from a vertical line, from a skylight opening.

Any part of a public hallway which is offset, recessed, or cut off from any other part of a hallway where such offset or recess is more in length than one and one-half times the width of the public hallway from which it offsets or recesses, shall be deemed a separate public hallway within the meaning of this section.

French windows or doors, if arranged to open and glazed to give the areas of opening and glass required by this act for windows in public hallways, may be used in lieu of windows therein.

Ventilating skylight over stairwell.

SEC. 32. In every hotel two or more stories in height hereafter erected, where there are more than five guest rooms on any one floor, there shall be provided at the roof over each stairway a ventilating skylight, placed directly as practicable over same, having a minimum effective horizontal area of glass at least twenty square feet in area for buildings two stories in height, and the area of glass in such skylight shall be increased at the ratio of six square feet for each additional story in height. In every such skylight the ventilating area shall be not less than five hundred square inches.

Every such skylight, ventilating openings, shutters and closing and opening devices for the ventilating openings, shall be made of approved incombustible materials, and so arranged that the entire ventilating area may be readily opened from at least the topmost and first story levels; except that in hotels not exceeding four stories in height the ventilators may be arranged so as to open from at least the first story, or may be fixed permanently in an open position.

Skylights as in this section prescribed may be omitted in case that windows are provided of the size fixed by section thirty-one hereof, and located adjoining the stairways, and that each window adjoining the stairway be provided with an open louvre or ventilator providing a ventilating area of not less than one hundred square inches or such louvre or ventilator may be placed in the roof over the stairway in which event the ventilating area shall be not less than five hundred square inches.

Whenever a skylight is required, as in this section provided, there shall be constructed a stair well, the clear open area of which shall be at each floor equal to one-third of the area of the glass in the skylight.

Water-closet on public hallway. One for each sex. One for ten guest rooms. Employees. Construction. Floor waterproofed.

SEC. 33. In every hotel hereafter erected there shall be installed not less than one water-closet in a separate compartment, located on the public hallway, for each sex on such door. One of such water-closets shall be distinctly marked

"for men," and one of the water-closets distinctly marked "for women"; and there shall be installed not less than one water-closet in a separate compartment, located on the public hallway, for every ten guest rooms, or fractional part thereof, on such floor, which are not provided with private water-closets. Each of the said water-closets shall be accessible from each of the guest rooms through the public hallway, and not more than one hundred feet distant from the entrance door of each of the guest rooms the said water-closet proposes to serve.

In every hotel hereafter erected there shall be installed not less than one water-closet for every twenty employees of each sex in said building.

No door or other opening in a water-closet or urinal compartment shall open from or into any room in which food is prepared or stored.

The walls enclosing a water-closet compartment shall be well plastered, or constructed of some nonabsorbent material, except that the ordinary wood trim for openings may be used in such a compartment. Every water-closet compartment shall be provided and equipped with a full door, properly hung, and provided with a lock or bolt to lock same.

The floor of every water-closet compartment hereafter constructed shall be made waterproof with asphalt, tile, marble, terrazzo, cement or some other similar nonabsorbent material, and such waterproofing shall extend not less than six inches on the vertical walls of the compartment.

Water-closets in prior erected hotels. Number required.

SEC. 34. In every hotel erected prior to the passage of this act there shall be installed not less than one water-closet in a separate compartment, located on the public hallway for each sex; one of such water-closets shall be distinctly marked "for men," and one of the water-closets shall be distinctly marked "for women"; and there shall be installed not less than one water-closet in a separate compartment, located on the public hallway, for every twelve guest rooms, or fractional part thereof, on such floor, which are not provided with water-closets; *provided, however,* that the housing department charged with the enforcement of this act may exempt any hotel existing at the time of the passage of this act from fully complying with the provisions of this paragraph when, in its discretion, such deviation will not be detrimental to the health of the occupants thereof, or to the sanitation of the said hotel or premises; *provided, further,* that no such exemption shall apply to any addition or extension to a hotel.

Every water-closet hereafter placed in a hotel erected prior to the passage of this act shall comply with every provision of this act relative to water-closets installed in hotels hereafter

erected, except that if a water-closet is installed in the top story of any such building, the compartment in which it is installed may be ventilated by a skylight with fixed louvres in lieu of a window; *provided, however,* that a new water-closet may be installed to replace a defective or antiquated fixture in the same location. No door or other opening in a water-closet, privy, or urinal compartment shall open from or into a room in which food is prepared or stored.

Every hotel erected prior to the passage of this act or hereafter erected, where a connection with the sewer is possible, shall discontinue the use of any school sink, privy vault or any similar receptacle used to receive fecal matter, urine or sewage, and every such receptacle shall be completely removed and the place where it was located be properly disinfected. All such receptacles shall be replaced by individual water-closets of durable nonabsorbent material, properly connected, trapped, vented and provided with flush tanks, the same as is required, by the provisions of this act, in hotels hereafter erected.

Bath and shower rooms. Slop sinks. Number. Construction.

SEC. 35. In every hotel hereafter erected there shall be installed not less than one bath tub or shower, in a separate compartment, located on the public hallway, for every ten guest rooms, or fractional part thereof, not provided with private baths; *provided,* that the said bath tub or shower is on the same floor and is accessible from each guest room through the public hallway. There shall also be installed not less than one slop sink on each floor.

The walls and floors to every bath, shower or slop-sink room hereafter constructed shall be waterproofed and shall be provided with doors in the same manner as required for the construction of water-closet compartments in hotels hereafter erected.

Bath and shower rooms. Slop sinks. Prior erected hotel.

SEC. 36. In every hotel erected prior to the passage of this act there shall be installed not less than one bath tub or shower, in a separate compartment, located in the public hallway, for every twenty guest rooms, or fractional part thereof, which are not provided with private baths; *provided,* that the said bath tub or shower is located on the same floor and is accessible from each guest room through the public hallway.

There shall also be installed not less than one slop-sink on each floor; *provided, however,* that the housing department charged with the enforcement of this act may exempt any hotel existing at the time of the passage of this act from fully complying with the provisions of this section when, in its discretion, such deviation will not be detrimental to the health of

the occupants thereof, or to the sanitation of the said hotel or premises; *provided, further,* that no such exemption shall apply to any addition or extension to a hotel.

Plumbing fixtures. Type of faucets.

SEC. 37. In every hotel hereafter erected every plumbing fixture shall be provided with running water, and there shall be provided faucets, with running water, sufficient in number so that all of the yards, courts and passageways may be washed. Faucets shall be of the hose babb type, not less than three-quarter inch size.

Every plumbing fixture affecting the sanitary drainage system in any hotel hereafter erected, shall be properly connected with the street sewer, if a street sewer exists in the street abutting the lot on which the building is located and is ready to receive connections. When it is impracticable to connect such plumbing fixtures with a street sewer, then the plumbing fixtures shall be connected and drained into a cesspool constructed satisfactorily to the department charged with the enforcement of this act; or some other means of sewage disposal satisfactory to the department charged with the enforcement of this act may be made until such time as it may become practicable and possible to connect with the street sewer.

Plumbing fixtures prior erected hotel.

SEC. 38. In every hotel erected prior to the passage of this act, every plumbing fixture shall be provided with running water, and there shall be provided faucets, with running water, sufficient in number so that all of the yards, courts and passageways may be washed. Faucets shall be of the hose babb type, not less than three-quarter inch size.

Water-closet, etc., where no running water. Privy vault.

SEC. 39. Water-closets, baths, showers, sinks, slop-sinks, faucets and other plumbing fixtures required by this act need not be installed in the event that the hotel hereafter erected or an existing hotel, as the case may be, is situated where there is no running water and where there is no practical means of sewage disposal, until such time as it becomes practicable and possible to obtain running water and means of sewage disposal; *provided,* in every such case the department charged with the enforcement of this act shall decide whether or not it is practicable and possible to provide running water and proper means of sewage disposal. A special permit in writing shall be obtained in every such case from the department charged with the enforcement of this act, which permit shall be made in duplicate, and a copy thereof shall remain on file in the department issuing it; *provided, further,* that proper, separate toilet facilities for each sex shall be provided for the use of the occupants of such building. Such

facilities shall be made sanitary. A privy, or toilet other than a water-closet, erected under the authority of this section shall consist of a pit at least three feet deep, with suitable shelter over the same to afford privacy, and protection from the elements. The openings of the shelter and pit shall be enclosed by mosquito screening, and the door to the shelter shall be made to close automatically by means of a spring or other device. No privy pit shall be allowed to become filled with excreta to nearer than one foot from the surface of the ground, and the excreta in the pit shall be covered with earth, ashes, lime or similar substances at regular intervals.

All drainage water shall be conveyed from the premises by means of a covered drain to a covered cesspool.

Plumbing, trapped and vented. Woodwork removed. Wooden wash trays and sinks forbidden. Water-closets

SEC. 40. In every hotel erected prior to the passage of this act all plumbing fixtures affecting the sanitary drainage system shall be properly trapped and vented and made sanitary in every particular. In any hotel hereafter erected, and in any hotel erected prior to the passage of this act no plumbing fixtures shall be enclosed with woodwork, but the space under and around same must be left entirely open. All wood-work enclosing a water-closet, sink, slop-sink, wash tray or lavatory shall be removed and the floor and wall surfaces beneath and around such water-closet, sink, slop-sink, wash tray or lavatory shall be maintained in good repair, and if of wood, well painted with a light colored paint of sufficient body to make it nonabsorbent. All wooden seats, attached to water-closet bowls, shall be varnished or enameled, or by some other method made nonabsorbent.

In every hotel hereafter erected water-closets shall have earthenware bowls and shall have earthenware seats integral with the bowls, or wooden seats, varnished or enameled so as to be nonabsorbent, or seats made of some nonabsorbent material attached directly to the bowls. No wooden wash trays or wooden kitchen sinks shall be permitted in such buildings. All plumbing connections hereafter made in buildings shall be of standard lead, iron, steel or brass; and every gas and water service connection hereafter made shall be of steel or iron, and shall be equipped with cut-off valves placed outside of the building, and such cut-off valves shall be readily accessible.

Whenever any plumbing fixture becomes insanitary the department charged with the enforcement of this act is hereby empowered to order the same removed and to order that it be replaced by a fixture conforming to the provisions of this act.

Egress from guest room. Stairway or fire escape.

SEC. 41. Every hotel hereafter erected, three or more stories in height and in which there are more than five

guest rooms on any one floor, shall be so designed and constructed that every guest room in such building shall have not less than two means of egress, either by stairways or fire escapes, constructed in accordance with the provisions of this act. Such means of egress shall be accessible from every guest room, either directly or through a public hallway, and so located that should one egress be or become blocked, the other egress shall be available.

Stairways. Number. Width. Outside to basement or cellar.

SEC. 42. Every hotel two or more stories in height, hereafter erected shall have not less than two stairways.

Every fireproof hotel two or more stories in height hereafter erected shall have not less than one stairway, not less than three feet six inches wide, for each six thousand square feet, or fractional part thereof, of floor area in any one floor above the first floor thereof.

Every semifireproof hotel two or more stories in height hereafter erected shall have not less than one stairway, not less than three feet six inches wide, for each four thousand square feet, or fractional part thereof, of floor area in any one floor above the first floor thereof.

Every wooden hotel two or more stories in height hereafter erected shall have not less than one stairway, not less than three feet six inches wide, for each three thousand square feet, or fractional part thereof, of floor area in any one floor above the first floor thereof.

Every hotel hereafter erected shall have not less than one stairway leading from the outside to every basement or cellar thereof.

Stairways. Number, how computed.

SEC. 43. The largest floor area above the ground floor shall be used as the basis for computing the number of stairways required in a hotel hereafter erected; *provided*, that if all floors above the largest floor area of the building are diminished in area, the stairway or stairways from that portion of the building containing a smaller area may be computed on the basis of the largest floor area in that portion of the building.

Stairways. Where placed. Access. Boiler room.

SEC. 44. All stairways hereafter constructed shall be located so as to furnish the best means of egress from the building, shall be as far removed from each other as is practicable, and shall be as follows:

Access to stairways shall be provided at every floor by means of a public hallway, corridor, or passageway, and the public hallway, corridor, passageway and stairway from the

ground exit level to the top story or roof shall be accessible at all times.

No stairway shall abut on more than one side of an elevator shaft, except on the entrance and topmost stories; *provided*, that the stairway is so located that it can be approached from the street entrance without passing by or in front of the open side of the said elevator shaft.

No stairway shall be located over a steam boiler, gas meter or gas heater or furnace, unless such boiler, gas meter, gas heater or furnace be located in a room, the walls and ceiling of which are constructed as required for a boiler room by section fifty-nine of this act. No stairway leading from any other portion of the building shall terminate in or pass through a boiler room.

Stairways. Rise and run. Head room. Depth of landing. Width of tread. Ground to top story. Handrails. Construction.

SEC. 45. Every stairway hereafter constructed shall be as follows: Have a rise of not more than eight inches and a run of not less than nine inches, without change in the run or rise between floors; and shall be provided with head room of not less than six feet six inches, measured from the nearest nosing of the stairway to the nearest soffit.

The depth of every landing in a stairway shall be not less than the width of the stairway, and all treads shall be of equal width for every run of stairs, and shall not vary in width in the width of the stairs.

Every stairway required by this act shall be continuous from the ground level to the top story, *i. e.*, the flights of such stairway shall be constructed one directly above the other, or shall be constructed so that each flight shall be in plain view of each succeeding flight; *provided, however*, that half of the stairways from the upper floors may terminate at the second floor, in the event that the stairways from the first to the second floor be increased in width not less than fifty per cent.

Every stairway shall have at least one handrail and if the stairway be five feet or more in width, shall have a handrail on each side thereof.

The under side and soffits of wooden stairways and the outside stringers of open stairways, except outside stairways in semifireproof and wooden hotels shall be metal lathed and plastered not less than three-quarters inch thick including the lath, or lathed with approved plaster board and plastered not less than three-quarters inch thick including the plaster board.

The width of stairways shall be measured in the clear of all projections except the baseboards, and except that handrails and newel posts may project not more than four inches.

Closet under wooden stair. When forbidden.

SEC. 46. No closet of any kind shall be constructed in any hotel under any wooden stairway, but such space shall be kept entirely open, and be kept clean and free from all encumbrance; or such space shall be effectually closed with walls of studs, lathed and plastered, with no door or opening of any kind therein; *provided, however,* that the provisions of this section as to a closet under a stairway shall not apply to any hotel not more than two stories in height, in which there are not more than five guest rooms above the first floor thereof.

Stairway ground to roof. Penthouse. Scuttle. Construction. Also prior erected building.

SEC. 47. In every hotel hereafter erected more than two stories in height, the stairway nearest to the main entrance of the building shall be carried to the roof level and shall give egress to the roof through a penthouse or roof structure. In every such building not exceeding two stories in height there shall be constructed a scuttle, in the public hallway, near the stairway. Such scuttle shall be not less than two feet by three feet in area, and shall be cut through the ceiling and roof.

Penthouses over stairways shall be built either of fireproof materials or of wood studs, lathed with metal lath or approved plaster board and plastered not less than three-quarters inch thick including the lath or plaster board on the inside and outside thereof; or such penthouses may be covered in the same manner and with the same kind of materials as required by this act for the doors from such penthouses.

The door to the roof from a penthouse or roof structure shall be self-closing and shall open outward to the roof and shall be covered on both sides and edges with tin or other metal.

The frames and trim of such door opening shall be similarly constructed and all glass in such door shall be wired glass not less than one-fourth inch thick.

Every hotel of more than two stories in height, erected prior to the passage of this act, shall have in the roof a penthouse or a scuttle, which scuttle shall be not less than two feet by three feet in area, located in the ceiling of a public hallway. There shall be provided a stairway or a stationary ladder, leading from the top floor of such hotel to the roof thereof. Such stairway or stationary ladder shall be made readily accessible to all the tenants of the building. No scuttle or penthouse door shall at any time be locked with a key, but may be fastened on the inside by a movable bolt or lock.

Public hallways, landings, corridors. Width.

SEC. 48. Public hallways, landings, and corridors from stairways shall be of the same width and measured in the same manner as the stairways, as provided in section forty-six hereof.

Fire escapes. At least one. Number. Types. Construction. Opening through cornice. Metal painted or galvanized.

SEC. 49. On every hotel hereafter erected more than two stories in height, there shall be provided at least one fire escape. If such hotel exceeds three thousand square feet of floor area on any one floor above the second floor thereof, such building shall be provided with one additional fire escape for each four thousand square feet of floor area or fractional part thereof.

Fire escapes required by this act shall be of one of the following types:

Type I. Metallic throughout and fastened securely to the exterior walls of the building, with a balcony at each story above the first story thereof, with inclined stairways connecting all balconies and a goose-neck ladder connecting the top-most balcony to the roof. The lowest balcony of such fire escape to be not more than fourteen feet above the street or ground level directly under same.

All metallic balconies shall be not less than forty-four inches in width nor less than thirty-three square feet in area. The stairway openings therein shall be not less than twenty-one inches wide and forty inches in length. The balcony balustrade shall be not less than thirty-four inches high, with no opening in such balustrade greater than eight inches in horizontal dimension.

There shall be no opening greater than one inch in width in a fire escape balcony platform, except the stair well opening.

There shall be no opening greater than one inch in width in the lowest fire escape balcony platform, except that there be attached a counterbalanced or permanent ladder reaching to the street or ground below.

Every balcony platform shall be fastened to the outside walls of the building by building in and anchoring to such walls the balcony platform and the balustrade framing, or by securely bolting same thereto. Every balcony shall be supported by brackets, braces, or struts fastened to or built in and anchored to the walls.

The inclined stairways shall be not less than eighteen inches in width and placed in no part nearer than twenty-one inches from the face of the wall. Such inclined stairways shall have an inclination of not less than four inches and not more than six horizontally to each twelve inches of vertical height. The treads shall be not less than four inches wide, placed not more than twelve inches apart. Each side of such stairways

shall be provided with a handrail not less than one inch in diameter fastened to the stair stringers and continued around the well hole openings of balcony platform.

The goose-neck ladder shall be not less than fifteen inches wide and extend vertically from the topmost balcony to three feet above the fire wall or roof above, and then be brought down and fastened to the inside face of the fire wall or to the roof. The rungs of the goose-neck ladder shall be not less than five-eighths inch round iron or steel, placed not more than fourteen inches apart. The goose-neck ladder shall be securely braced and fastened to the outside wall, and in no case shall such ladder pass in front of any opening in the wall to the interior of the building. The cornice opening for the passage of such ladder shall be not less than twenty-four inches in width and twenty-four inches in the clear outside of the ladder.

Such fire escape shall be framed and riveted or bolted together in a solid, substantial manner and properly supported, braced and fastened to the outside walls so as to be rigid, durable and secure and carry the loads imposed.

All metallic fire escapes shall be painted with not less than two coats of good, durable paint; or such fire escapes may be galvanized.

Type 2. Metallic ladders and stairways conforming to the provisions set forth for type one and with reinforced concrete or iron or steel fireproofed balconies, with fastenings of similar materials. Such balconies to measure the full size inside of balustrades. Floor openings and well holes provided and protected similarly to the requirements for metallic balconies.

Type 3. Any type of an enclosed approved metallic spiral fire escape which consists of a rigid form of an inclined chute or chutes constructed entirely of incombustible material; securely attached to the outside walls of the building; provided with proper means of ingress thereto from the building and egress therefrom at the bottom; having means enabling firemen to reach the roof thereby from the ground; equipped with standpipes; painted the same as provided for metallic fire escapes; and satisfactory to the department charged with the enforcement of this act as being as solid, substantial and durable and as fireproof in construction, and providing at least as safe and efficient means of escape from the building for the occupants thereof, and furnishing all the protection and utility of the metallic fire escape described as "type one" in this act.

Type 4. Fire and smoke towers, consisting of a fire escape stairway not less than twenty inches in width, constructed of reinforced concrete, iron or steel, or a combination of these materials; and in all other details as required in this act for metallic fire escape stairways; said stairways being continuous the full height of the building from the first floor exit level

to the roof, and with handrails on each side thereof the full length of same. Such stairways to be constructed at a point adjoining the exterior walls of the building and be entirely enclosed with walls of brick, terra cotta tile, concrete or reinforced concrete not less than twelve inches thick; such walls to be continuous from the basement up to and extending three feet above the roof of the building, with no covering of any kind over same, and with no openings in the walls of such tower into the building. The enclosing walls of such tower not to be used to carry or support any floor joist, beam, girder or other structural feature of the building, nor to be chased for any pipe, conduit or other purpose; to have an exit from the enclosure at the first floor line opening directly to a street or yard, and having an entrance by means of an outside balcony at each floor, such balconies to have a solid floor and in all other details and kind of materials to be as in this act required for metallic fire escape balconies. The balconies to be located and arranged to connect with a door opening from a public hallway in the interior of the building and with a door opening leading from the balcony to the tower, such door opening from the building to the balcony and from the balcony to the tower to be not less than thirty inches wide by seventy-two inches high and be equipped with metal-lined doors and with a frame and threshold of such door openings constructed of fireproof materials.

Type 5. A fire and smoke tower in every way similar to "type four" of this section, except that instead of the outside balcony there be built a vestibule with enclosing walls continuous with and of the same kind of materials and of the same thickness as the enclosing walls of the fire tower; that the vestibule opening be direct from a public hallway and be equipped with metal-lined doors. The vestibule floor to be of masonry construction. The enclosure to have an opening at each floor through the exterior wall of the building, such opening to extend from the floor to the ceiling and be not less in width than three-fourths of the width of the tower, said opening to be protected with an open metallic balustrade similar to that specified for metallic fire escape balconies.

Fire escapes. When type 4 or 5 in lieu of stairway.

SEC. 50. In any hotel hereafter erected in which there is constructed a fire escape of "type four" or "type five," as prescribed in this act, such fire escape may be used and construed as a stairway and a fire escape combined; *provided*, that there is at least one other stairway or one other fire escape constructed in accordance with the provisions of this act, in the said building.

Fire escapes. Where located. One on street front. Signs.

SEC. 51. Every fire escape required by this act shall be located on the building so as to furnish the best means of escape therefrom for the occupants, and at least one such fire escape shall be located on a street front. Every such fire escape shall have egress thereto from a public hallway or passageway not less than three feet wide, or such fire escapes, in lieu of being located on a public hallway, shall be so located that each guest room has direct egress thereto without passing through another room. If a public parlor, public lobby, or similar room is connected directly with the public hall, corridor or passageway through a clear and unobstructed opening, without doors, then egress may be had thereby to a fire escape. Signs both pointing towards and marking the locations of fire escapes shall be placed on each floor.

Fire escapes. Number, how computed.

SEC. 52. The largest floor area above the second floor shall be used as a basis for computing the number of fire escapes required by this act; *provided*, that if all floors above the largest floor area are diminished in size, the number of fire escapes from that portion of the building containing the smaller area may be computed on the basis of the largest floor area in that portion of the building.

Fire escapes. Construction. Size of door or window.

SEC. 53. All parts of each balcony platform of a fire escape shall be designed to carry, in addition to the dead load thereof, a live load of one hundred pounds per square foot over the entire area thereof, using outside dimensions, and the live and dead loads from the ladders or stairs supported thereon.

Each ladder shall be designed to withstand a horizontal pressure of one hundred pounds per square foot.

Each stairway shall be designed to carry, in addition to the dead load thereof, a live load of one hundred fifty pounds per square foot of horizontal projection.

Top rails of balcony balustrades shall be designed to withstand a horizontal pressure of one hundred pounds per lineal foot of railing.

Each balcony shall be independently supported.

All fastenings of fire escape balconies to the building shall be designed to carry twenty-five per cent greater load than the total dead and live loads carried by the balconies. The balcony anchorage shall be direct to the structural steel or iron members of the balustrades and platforms extended into the walls and anchored into the structural work of the building.

The level of the inside sill of the door or window giving access to a fire escape balcony or the balcony floor shall be not

more than thirty inches above the adjoining floor in the building. Every such door or window opening shall be not less than twenty-nine inches in clear width nor less than fifty-eight inches in height.

Where double-hung windows are used in such openings, the lower sash shall be at least the size of the upper sash and shall slide to the top of such opening. Any lock used on any such window shall be of a type which can be readily opened from the interior of the building without the use of a key or other tool.

Fire escapes. Repair. Painted. Unobstructed.

SEC. 54. Every fire escape in or on a hotel hereafter erected, or in or on a hotel erected prior to the passage of this act, shall at all times be maintained in good order and repair, well painted and clear and unobstructed at all times, and be readily accessible.

Standpipes. When and where required. Siamese inlet.

SEC. 55. On every hotel hereafter erected four or more stories in height, there shall be provided one or more metallic standpipes. Each such standpipe shall be not less than four inches in internal diameter, and shall have a Siamese inlet valve near the sidewalk or ground directly under same, and an outlet valve at each story above the first story and on the roof.

One such standpipe shall be placed on or in the exterior walls of the building at one fire escape on each street frontage, and the outlet valves shall be readily accessible from the balconies of the fire escapes.

The inlet and outlet valves on every standpipe shall be threaded and brought to a size which will meet the standard connections of the local fire department of the municipality in which such hotel or lodging house is being erected.

The standpipes required by this section need not be installed in any hotel which is situated where there is no running water and where it is not practicable or possible to obtain water for efficient use of such standpipes in case of fire, until such time as it is practicable and possible to obtain running water; and the department charged with the enforcement of this act shall decide whether or not it is possible or practicable to obtain running water.

Shafts. Elevator. Dumb-waiter. Vent shaft. Construction. Door. Window.

SEC. 56. In every fireproof hotel hereafter erected, every elevator shaft, dumb-waiter shaft or other interior shaft shall be inclosed in walls constructed of concrete, reinforced concrete, brick, terra cotta tile or other similar hard, incombustible materials, or shall be constructed of metal studs lathed

either with metal lath or an approved plaster board and plastered on both sides so as to make a solid partition not less than two inches thick.

In every semifireproof or wooden hotel hereafter erected, every such shaft shall be inclosed by walls constructed as provided by this act for fireproof hotels, or such walls shall be constructed with wood studs, with wood firestops the same size as the studs, cut in between the studs at each floor and half way between each floor, lathed on both sides with metal lath or an approved plaster board and be plastered not less than three-quarters inch thick including the lath or plaster board.

Every opening from any shaft into the building shall be equipped with a metal door and with door frame and trim entirely of metal; or such door and door frame shall be constructed of wood covered with metal on the shaft side thereof, and if there is any glass therein, such glass shall be wired glass not less than one-fourth inch thick. Every door or window therein shall be made to close tight, and every door except elevator doors therein shall be self-closing.

Every window in such shaft shall be of wired glass, not less than one-fourth inch thick, set in a metal sash or a sash metal-covered on the shaft side thereof.

At the roof over every elevator shaft there shall be constructed a ventilating skylight or a ventilator with open louvres.

Vent shaft. Construction. Openings. Area. Width. Intake. Pipes.

SEC. 57. In every hotel hereafter erected every vent shaft shall be inclosed by walls constructed the same as required by this act for elevator shafts in the same class of building. Such vent shafts may, in a semifireproof or wooden hotel, be lined on the outside thereof (weather side) with metal in lieu of metal lath and plaster; also, that portion of such shaft extending from the ceiling joists to the top thereof may be lined with metal in the same manner as is required for the weather side of such vent shaft.

Every opening from any vent shaft into the building or any window therein shall be equipped in the same manner as required by this act for elevator shafts in the same class of building.

Plaster on the weather side of any such shaft shall be cement plaster.

Every vent shaft required by this act shall be not less than four feet in any direction and be at least sixteen square feet in area. If such vent shaft exceeds fifty feet in height, measured from the bottom to the top of the walls of such shaft, then such vent shaft shall throughout its entire height be increased in area three square feet for each additional ten feet or fractional part thereof above fifty feet.

Every such vent shaft shall be provided with an air intake or duct at or near the bottom thereof, communicating with the street or yard or a court. Such intake shall be not less than three square feet in total area, and may be divided into not more than three separate ducts running between the joists or otherwise, and shall in all cases be placed as nearly horizontal as possible. Every such intake or duct shall be constructed of approved fireproof material or shall be of metal or metal-lined, and be provided with a wire screen of not less than one inch mesh at each end. Plumbing, gas, steam or other similar pipes may be placed in such a vent shaft.

Every vent shaft shall have a door or a window at or near the bottom of the shaft, so arranged as to permit of its being readily cleaned out.

Inner court. Construction. Fireproofing.

SEC. 58. The walls of every inner court in a fireproof hotel hereafter erected shall be constructed of concrete, reinforced concrete, brick, terra cotta tile or other similar hard, incombustible material. In a semifireproof or in a wooden hotel such inner court walls, if surrounded on four sides by the walls of the same building, shall be constructed as provided for fireproof hotels, or may be of wood studs with wood firestops the same size as the studs, cut in between the studs at each floor and halfway between each floor, lathed on both sides with metal lath, or with an approved plaster board and be plastered not less than three-quarters inch thick including the lath or plaster board. Plaster on the weather side of such inner court walls shall be cement plaster, or such inner court walls may be lined on the weather side with not less than number twenty-six (gauge) metal, in lieu of metal lath and plaster.

Boiler or furnace room. Construction. Oil.

SEC. 59. In every hotel hereafter erected, every boiler used for the purpose of heating the building, using fuel other than gas, and every heating furnace or water-heating apparatus, using oil for fuel, shall be installed in a room, the walls of which room shall be built of concrete, reinforced concrete, brick, stone or terra cotta tile, not less than six inches thick, and such walls shall extend from the floor of the boiler room to the ceiling over same. The entire ceiling of such room shall be built of similar materials as the walls, or shall be built with a double ceiling, with a space of not less than seven-eighths inch between the two ceilings, each ceiling shall be metal lathed or lathed with an approved plaster board and be plastered not less than three-quarters inch thick including the lath or plaster board. The floor of a boiler room shall be of concrete not less than two inches thick.

Any door in the wall of such room shall be a fire-resisting door, constructed of three thicknesses of seven-eighths inch by not more than six inches, tongued and grooved, matched, redwood boards entirely covered on the sides and edges with lock-jointed tin; every such door shall be self-closing, so hung as to overlap the walls of the room at least three inches, and any glass in any such door or any glass in any window or opening in the walls of a boiler room shall be wired glass, not less than one-fourth inch thick, set in a metal or metal-covered sash.

All such doors shall have hinges, hangers, latches and other hardware of wrought iron, bolted to the doors, and shall have steel tracks, when sliding doors are used, with wrought-iron stops and binders bolted through the wall. Swinging doors shall have wall eyes of wrought-iron, built into or bolted through the wall.

Every such boiler room shall have a sill across each door not less than four inches high. Such sills shall be of masonry, and the doors shall overlap same at least three inches, or in lieu of a masonry sill a steel or iron sill may be used, in which case the door shall close tight on top of same.

Where oil or other fluid fuel is burned, the oil or other fluid fuel shall not be fed by a gravity flow.

Automobile room. Public garage or machine shop. Construction.

SEC. 60. In every hotel hereafter erected any portion of such building in which there is kept or stored any automobile or automobiles shall be a room enclosed in partitions which shall be built of concrete, reinforced concrete, brick, stone or terra cotta tile, not less than six inches thick. Such enclosing partitions shall extend from the floor of the room to the ceiling of the same. The entire ceiling of such room shall be built of material similar to that in the construction of its walls or shall be either metal lathed or be lathed with an approved plaster board and be well plastered, and if any portion of the building is used as a public automobile garage, or automobile repair shop, or machine shop the ceiling thereof shall be constructed either of masonry, or of a double ceiling metal lathed or lathed with an approved plaster board and be well plastered, there shall be left a space between the ceilings of not less than six inches measured vertically. The lower ceiling shall be suspended with iron or steel channels. In each case each of the ceilings shall be plastered not less than three-quarters of an inch thick including the lath or the plaster board. The floor of such room shall be of concrete not less than two inches thick. Every door, window or other opening in the walls of such room opening to the interior of the building shall be protected in the same manner required by section fifty-nine hereof for doors, windows and other openings in a boiler room.

Rooms. Exhaust system in lieu of windows, when. Construction.

SEC. 61. In every hotel hereafter erected the water-closet compartments, bath, toilet or slop-sink rooms, kitchens, sculleries, pantries or other rooms in which food is stored or prepared, public dining rooms, laundries, barber shops, Turkish baths, general amusement, entertainment or reception rooms, and rooms used for similar purposes and general utility rooms, in lieu of being provided with windows, as in this act prescribed, may be provided with a fan exhaust system of ventilation. Such fan exhaust system of ventilation shall consist of independent inlet ducts, extending from the outer air to each such room or compartment and exhaust ducts extending from each such room or compartment to the outer air above the highest roof of the building.

All of the inlet ducts and exhaust ducts shall be constructed of galvanized iron or other smooth surfaced, nonabsorbent material and so arranged that they may be readily cleaned out.

The exhaust ducts shall always be connected to an exhaust fan mechanically operated, so designed and operated as to provide a complete change of air in not to exceed fifteen minutes for each room used for the following purposes: kitchens; pantries or other rooms used for cooking, storing or preparing of food; barber shops; Turkish baths; laundries.

General amusement, entertainment, reception or dining rooms, or rooms used for similar purposes; general utility rooms; and the said fan exhaust system of ventilation shall be so designed and operated as to provide a complete change of air in not to exceed five minutes for each room used for the following purposes: water-closets; shower compartments; bath, toilet or slop-sink rooms or sculleries.

Any person in charge of a building in which a system of fan exhaust ventilation, as in this section is required, who fails, neglects or refuses to operate and maintain the said system of ventilation in good order and repair so that the ventilation (complete change of air) herein specified is provided in each of the rooms or compartments at all times, shall be deemed guilty of a misdemeanor and subject to all of the penalties fixed by this act.

Dormitory. Twenty persons. Construction. Beds. Water-closet. Urinal. Shower. Wash-sink.

SEC. 62. Every dormitory hereafter constructed, altered, or converted in any hotel shall be as follows:

(a) In no one dormitory shall there be provided sleeping accommodations for more than twenty adult persons, nor shall the superficial floor space for each person be less than required by section sixty-five hereof.

(b) *The ceiling height, measured from the finished floor to the finished ceiling, shall in no case be less than nine feet in the*

clear, and in no case shall there be permitted in such dormitory more than one tier of beds; *provided, however,* that in a dormitory in which the clear ceiling height is not less than eighteen feet measured between the finished floor to the finished ceiling thereof, a double tier of beds may be permitted, *i. e.,* one tier above the other; *provided,* that in no event shall there be less than three feet of clear vertical space between the beds, nor less than three feet in any horizontal direction between any of the beds, nor less than one foot of clear space between the floor of the room and the under side of the first tier of beds.

(c) In every dormitory there shall be provided windows opening onto a street, or onto a yard or court of the dimensions specified in this act and located on the same lot. The window area shall in no case be less than one-eighth of the superficial floor area in the dormitory, and in the event that a double tier of beds are provided, the said window area shall be doubled.

(d) The frames of beds in every dormitory shall be made of steel or iron or of some similar hard, smooth, incombustible and nonabsorbent material.

(e) In every dormitory there shall be provided not less than one water-closet in a separate compartment, not less than one urinal in a separate compartment, and not less than one shower in a separate compartment, and not less than one wash-sink, for each twenty persons or fractional part thereof occupying the said dormitory.

(f) Every dormitory in a hotel erected prior to the passage of this act shall be made to conform to the provisions of subsection "(a)" of this section.

Height of added room or hall existing house.

SEC. 63. In any hotel erected prior to the passage of this act, every additional room or hallway that is hereafter constructed or created may be of the same height as the other rooms or hallways on the same story of such hotel.

Room in prior erected hotel for sleeping. Hallway.

SEC. 64. Every room in a hotel erected prior to the passage of this act shall, if the said room be hereafter occupied for living or sleeping purposes, have a window of an area not less than eight square feet, opening directly upon a street, a yard, a court or upon a vent shaft not less than twenty-five square feet in area, which vent shaft shall in no part be less than four feet wide and open and unobstructed, without roof or skylight over same; except that if such room be located on the top floor of the building, such room may be ventilated by a skylight with fixed louvres directly to the outer air, or may have a window opening upon a vent shaft not less than ten square feet in area, if such window from the room be not

more than three feet below the top of the wall of such vent shaft.

Every public hallway in every hotel erected prior to the passage of this act, which does not conform to the provisions for public hallways in buildings hereafter erected, shall be provided with light and ventilation to the outer air. Such light and ventilation shall be provided by the placing of windows or skylights, or by making such alterations as in the judgment of the housing department may be deemed necessary to accomplish the result.

Kitchen. Cooking forbidden except. Ratproofing. Where sleeping forbidden. Floor area.

SEC. 65. Food shall not be cooked or prepared in any room except in a kitchen designed for that purpose. Floors of kitchens and rooms in which food is stored shall be made impervious to rats by a layer of concrete not less than one and one-half inches thick or by a layer of sheet tin or iron or similar material.

It shall be unlawful for any person to live or sleep, or permit or suffer any person to live or sleep, in any cellar, bath, shower or slop-sink room, water-closet compartment, hallway, closet, kitchen, recess from a room, or dressing room, except when such recess from a room, or dressing room has at least ninety square feet of superficial floor area and complies with every requirement of this act for rooms, or in any other place in such building, which in the judgment of the department charged with the enforcement of this act, would be dangerous or prejudicial to life or health by reason of want of light, windows, ventilation, drainage or on account of dampness, offensive, obnoxious or poisonous odors, or in any room that shall be so overcrowded as to afford less than the following floor space for each occupant, in accordance with the age of said occupant:

| Number of persons over 12 years of age | Number of persons under 12 years of age | Superficial floor area required |
|--|---|---------------------------------|
| 1 or ----- | 2 | 60 square feet |
| 2 or ----- | 4 | 120 square feet |
| 3 or ----- | 6 | 180 square feet |
| 4 or ----- | 8 | 240 square feet |
| 5 or ----- | 10 | 300 square feet |
| 6 or ----- | 12 | 360 square feet |

Additional floor area in the same ratio shall be provided for additional persons.

Light sunrise to sunset and sunset to sunrise.

SEC. 66. In every hotel there shall be installed and kept burning from sunrise to sunset throughout the year artificial light sufficient in volume to properly illuminate every public hallway, stairway, fire escape egress, elevator, passageway, public water-closet compartment, or toilet room, whenever there is insufficient natural light to permit a person to read in any part thereof.

In every hotel there shall be installed and kept burning from sunset to sunrise throughout the year artificial light sufficient in volume to properly illuminate every public hallway, stairway, fire escape egress, elevator, public water-closet compartment, or toilet room and exterior passageway on the lot.

Sleeping room, courts and shafts. Light color.

SEC. 67. The walls and ceilings of every sleeping room in every hotel shall, except when there is sufficient natural light to permit a person to read in any part thereof during daytime, be calcimined or painted or papered with a light-colored material, and such calcimine, paint or paper, as the case may be, shall be renewed as often as is necessary to maintain the same of a light color and clean and free from vermin.

The walls of courts and shafts, unless built of light-colored materials, shall be painted of a light color or whitewashed, and such painting or whitewashing shall be renewed as often as is necessary to maintain the same of a light color.

Wall paper and calcimine when removed.

SEC. 68. No wall, partition or ceiling of any room in any hotel shall be repapered, calcimined, or have any other covering placed thereupon unless the old wall paper or other covering shall have first been removed therefrom, and the said wall, partition or ceiling cleaned, disinfected and freed from bugs, insects or vermin.

Building to be in good repair. Roof. Yards, courts, graded and drained, and when paved.

SEC. 69. Every hotel shall be maintained in good repair. The roofs shall be kept waterproof and all storm or casual water properly drained and conveyed therefrom to the street sewer, storm drain or street gutter.

All portions of the lot about such hotel, including the yards, courts, areaways, vent shafts and passageways, shall be properly graded and drained; and whenever the department charged with the enforcement of this act deems it necessary for the protection of the health of the occupants of such building, or for the proper sanitation of the premises, it may require that the said lot, yards, courts, areaways, vent shafts and passageways be graveled or properly paved and surfaced with concrete, asphalt or similar materials.

Doors and windows when screened.

SEC. 70. There shall be provided, whenever it is deemed necessary for the health of the occupants of any hotel or for the proper sanitation or cleanliness of any such building, metal mosquito screening of at least sixteen mesh, set in tight-fitting removable sash, for each exterior door, window or other opening in the exterior walls of the building.

Garbage cans. Garbage chute when installed.

SEC. 71. In every hotel there shall be provided such number of tight metal receptacles with close-fitting metal covers for garbage, refuse, ashes and rubbish as may be deemed necessary by the department charged with the enforcement of this act, or in lieu of such metal receptacles there may be constructed a garbage chute or shaft approved by the housing department. Each of said receptacles, chutes or shafts shall be kept in a clean condition by the person in charge or in control of the building.

Premises to be clean and sanitary.

SEC. 72. Every room, hallway, passageway, stairway, wall, partition, ceiling, floor, skylight, glass window, door, carpet, rug, matting, window curtain, water-closet compartment or room, toilet room, bathroom, slop-sink or washroom, plumbing fixture, drain, roof, closet, cellar, or basement in any hotel or on the lot, yard, court or any of the premises thereof, shall be kept in every part clean and sanitary and free from all accumulation of debris, filth, rubbish, garbage or other offensive matter.

No person shall, or cause or permit any person to deposit any swill, garbage, bottles, ashes, cans or other improper substance in any water-closet, sink, slop-hopper, bathtub, shower, catch-basin, or in any plumbing fixture connection or drain therefrom; or otherwise to obstruct the same; or to place or cause or permit to be placed any filth, urine or other foul matter in any place other than the place provided for same; or to keep or cause or permit to be kept any urine or filth or foul matter in any room in any hotel, or in or about the said building or premises thereof, for such length of time as to create a nuisance.

Bed, mattress, bedding clean and sanitary. No roller towel. Linen changed.

SEC. 73. In every hotel, every part of every bed, including the mattress, sheets, blankets and bedding, shall be kept in a clean, dry and sanitary condition, free from filth, urine or other foul matter, in or upon the same; and free from the infection of lice, bedbugs or other insects. No roller or public towel shall be permitted. Bed linen shall be changed at least as often as a new guest occupies the bed.

Articles dangerous to life or health. Permit.

SEC. 74. In no hotel, or any part thereof, or in the lot, yard, court or any portion thereof, shall there be kept, stored or handled any article dangerous or detrimental to life or to the health of the occupants thereof; nor shall there be stored, kept or handled any feed, hay, straw, excelsior, cotton, paper stock, rags or junk, except upon a written permit so to do, obtained from the fire commissioner or other department authorized to issue such permit. Every such permit shall be deemed to be a public record, made in duplicate and a copy thereof shall remain on file in the office of the fire commissioner or department issuing same.

Animals, poultry, birds forbidden. Stable forbidden. Paint, oil.

SEC. 75. No horse, cow, calf, swine, sheep, goat, rabbit, mule or other animal, chicken, pigeon, goose, duck or other poultry shall be kept in a hotel, or any part thereof; nor shall any such animal or poultry, nor shall any stable be kept or maintained on the same lot, yard, court or premises of a hotel, or within twenty feet of any window or door of such building.

No hotel shall be connected with or have any door, window or transom opening to any part of a building wherein paint or oil are stored or kept for the purpose of sale or otherwise.

Janitor or housekeeper when.

SEC. 76. In every hotel in which there are eight or more guest rooms and in which the owner does not live, there shall be a janitor, housekeeper or other responsible person, who shall reside in such hotel or on the same lot or premises thereof and have charge of same.

Violation of act. Procedure on.

SEC. 77. In case any hotel, or any part thereof, is constructed, altered, converted or maintained in violation of any provisions of this act or of any order or notice of the department charged with its enforcement, or in case a nuisance exists in any such hotel or building or structure or upon the lot on which it is situated, said department may institute any appropriate action or proceeding to prevent such unlawful construction, alteration, conversion or maintenance, to restrain, correct or abate such violation or nuisance, to prevent the occupation of said hotel, building or structure, to prevent any illegal act, conduct of business in or about such hotel or lot. In any such action or proceeding said department may, by affidavit setting forth the facts, apply to the superior court, or to any judge thereof, for an order granting the relief for which said action or proceeding is brought, or for an order enjoining all persons from doing or permitting to be done any work in or about such hotel, building, struc-

ture or lot, or from occupying or using the same for any purpose, until the entry of final judgment or order. In case any notice or order issued by said department is not complied with, said department may apply to the superior court, or to any judge thereof, for an order authorizing said department to execute and carry out the provisions of said notice or order, to remove any violation specified in said order or notice, or to abate any nuisance in or about such hotel, building or structure, or the lot upon which it is situated. The court, or any judge thereof, is hereby authorized to make any order specified in this section. In no case shall the said department or any officer thereof or the municipal corporation be liable for costs in any action or proceeding that may be commenced in pursuance of this act.

Fine is a lien.

SEC. 78. Every fine imposed by judgment under section six of this act upon a hotel owner shall be a lien upon the house in relation to which the fine is imposed, from the time of the filing of a certified copy of said judgment in the office of the recorder of the county in which said hotel is situated, subject only to taxes and assessments and water rates, and to such mortgage and mechanics' liens as may exist thereon prior to such filing; and it shall be the duty of the department charged with the enforcement of the provisions of this act, upon the entry of such judgment, to file forthwith the copy as aforesaid, and such copy upon filing shall be forthwith indexed by the recorder in the index of mechanics' liens.

Notice of pendency of action. How canceled.

SEC. 79. In any action or proceeding instituted by the department charged with the enforcement of this act, the plaintiff or petitioner may file, in the county recorder's office of the county where the property affected by such action or proceeding is situated, a notice of the pendency of such action or proceeding. Said notice may be filed at the time of the commencement of the action or proceeding, or at any time afterwards before final judgment or order, or at any time after the service of any notice or order issued by said department. Such notice shall have the same force and effect as the notice of pendency of action provided for in the Code of Civil Procedure. Each county recorder with whom such notice is filed shall record it and shall index it in the name of each person specified in a direction subscribed by an officer of the department instituting such action or proceeding. Any such notice may be vacated upon the order of a judge of the court in which such action or proceeding was instituted or is pending. The recorder of the county where such notice is

filed is hereby directed to mark such notice and any record or docket thereof as canceled of record, upon the presentation and filing of a certified copy of such order.

Owner and lessee to file name and address.

SEC. 80. Every owner of a hotel and every lessee or other person having control of a hotel, shall file in the housing department a notice, containing his name and address, and also a description of the property, by street and number and otherwise, as the case may be, in such manner as will enable the department charged with the enforcement of this act easily to find the same; and also the number of rooms in the building. In case of a transfer of any hotel, it shall be the duty of the grantee of said hotel to file in the housing department a notice of such transfer, stating the name of the new owner, within thirty days after such transfer. In case of the devolution of the said property by will, it shall be the duty of the executor and the devisee, if more than twenty-one years of age, and in case of devolution of such property by inheritance without a will, it shall be the duty of the heirs, or in case all the heirs are under age, it shall be the duty of the administrator of the deceased owner of said property, to file in said department a notice, stating the death of said owner and the names of those who have succeeded to his interests, within thirty days after the death of the decedent, in case he died intestate, and within thirty days after the probate of his will if he died testate.

Agent's name and address filed. Description of property.

SEC. 81. Every owner, agent or lessee of a hotel shall file in the housing department a notice containing the name and address of such agent of such house, for the purpose of receiving service of process, and also a description of the property, by street and number or otherwise, as the case may be, in such manner as will enable the department charged with the enforcement of this act easily to find the same. The name of the owner or lessee may be filed as agent for this purpose.

Names and addresses indexed.

SEC. 82. The names and addresses filed in accordance with sections seventy-nine and eighty shall be indexed by the housing department in such a manner that all of those filed in relation to each hotel shall be together and readily ascertainable. Said indices shall be public records, open to public inspection during business hours.

Notice or order served five days prior.

SEC. 83. Every notice or order in relation to a hotel shall be served five days before the time for doing the thing in relation to which it shall have been issued.

Summons, how served.

SEC. 84. In any action brought by any department charged with the enforcement of this act in relation to a hotel for injunction, vacation of the premises or other abatement of nuisance, or to establish a lien thereon, it shall be sufficient service of summons to serve the same as notices and orders are served under the provisions of the Code of Civil Procedure.

Act is minimum requirement. Further restrictions. Laws and ordinances inconsistent repealed.

SEC. 85. The provisions of this act shall be held to be the minimum requirements adopted for the protection, the health and the safety of the community, and for the protection, the health and the safety of the occupants of hotels. Nothing in this act contained shall be construed as prohibiting the local legislative body of any incorporated town, incorporated city, incorporated city and county, or county, from enacting from time to time, supplementary ordinances or laws imposing further restrictions, or providing for fees to be charged for permits, certificates or other papers required by this act; but no ordinance, law, regulation or ruling of any municipal department, authority, officer or officers, shall repeal, amend, modify or dispense with any of the provisions of this act.

All statutes of the state and all ordinances of incorporated towns, incorporated cities, incorporated cities and counties, and counties, as far as inconsistent with the provisions of this act, are hereby repealed; *provided*, that nothing in this act contained shall be construed as repealing or abrogating any present ordinance or law of any incorporated town, incorporated city, incorporated city and county, or county, in the state which further restricts the percentage of the lot to be covered by a hotel, the number of stories or height of such hotel or number of rooms therein, the occupation thereof, the materials to be used in its construction, or increasing the size of the yards or courts, the floor space to each person occupying a room, the requirements as to sanitation, ventilation, light and protection against fire.

Nothing in this act contained shall be construed as abrogating, diminishing, minimizing or denying the power of any incorporated town, incorporated city, incorporated city and county, or county, by ordinance or law, to further restrict the percentage of the lot to be covered by a hotel within said municipality, the number of stories or height of such hotel or number of rooms therein, the occupation thereof, the materials to be used in its construction, or increasing the size of the yards or courts, the floor space to each person occupying a room, the requirements as to sanitation, ventilation, light and protection against fire.

Constitutional declaration.

SEC. 86. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Act in effect September 1, 1917.

SEC. 87. This act shall take effect and be in force from and after September 1, 1917.

Existing act repealed.

SEC. 88. "An act to regulate the building and occupancy of hotels and lodging houses in incorporated towns, incorporated cities, and cities and counties, and to provide penalties for the violation thereof," approved June 16, 1913, statutes of California of 1913, page 1429, and all acts amending said act, are hereby repealed.

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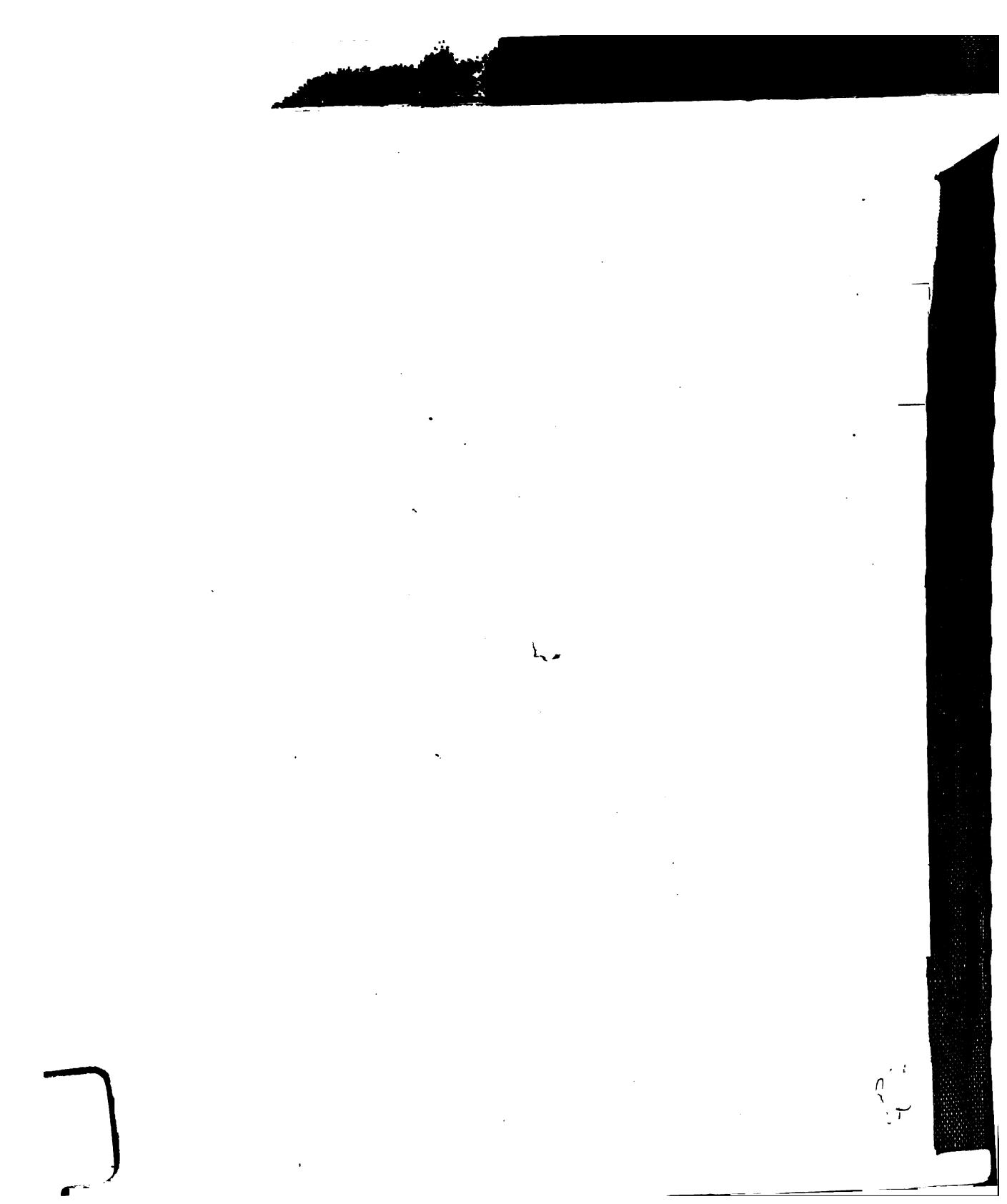
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NOTE TO THE READER
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